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ABSTRACT

This work emphasizes the culture and characteristics of native people as they relate to legal education and information programs and serves as a guide for designing and implementing these programs. The literature review stresses five program requisites: (1) community commitment to the program, (2) incorporation of traditional laws and customs in the curriculum, (3) accomodation of the learning styles of native people, (4) relevance of curriculum, and (5) flexibility of program structure. The annotated bibliography lists 143 entries alphabetically under the broad headings of history and culture, legal concepts, and educational principles. Subheadings include rural justice, culture and education, native legal concepts, rural justice systems, legal services, principles of learning, cultural influences, teacher training, curriculum development, and projects and programs. Canadian as well as U.S. literature, dating from 1926 to 1977, is covered in both review and bibliography. (JH)

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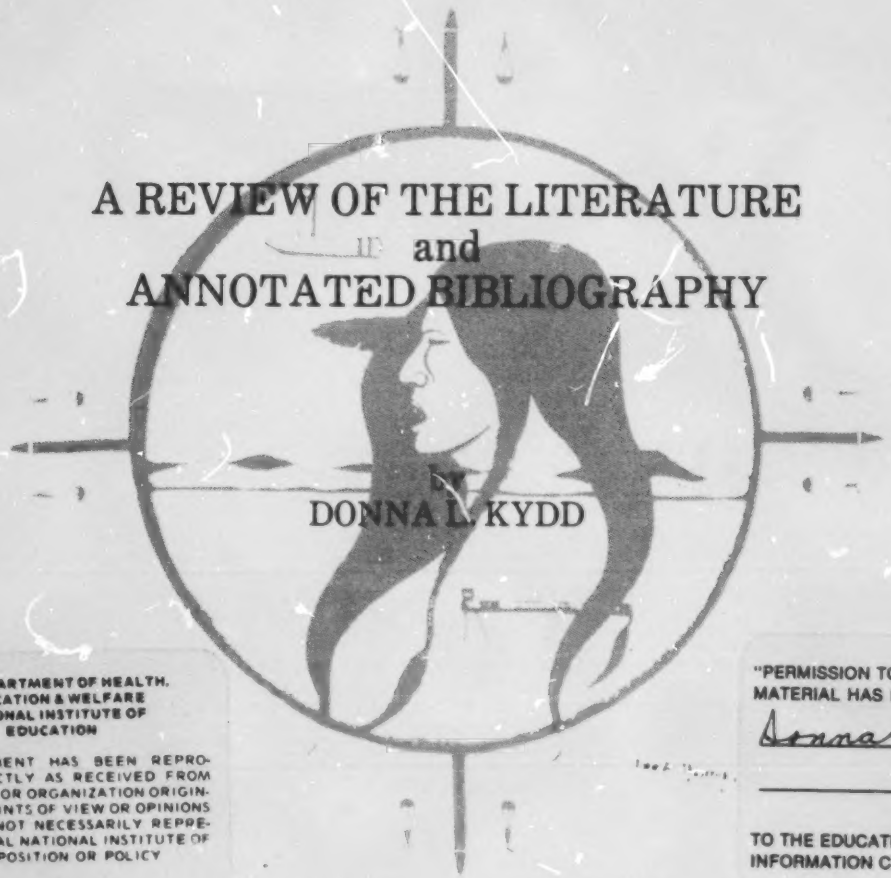
TOWARDS A LEGAL EDUCATION and INFORMATION PROGRAM for NATIVE PEOPLE

A REVIEW OF THE LITERATURE and ANNOTATED BIBLIOGRAPHY



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by
DONNA L. KYDD

JANUARY 1979

PREFACE

The subject of legal education and information programs for native people is quite broad. The topics of law, culture and education. in themselves, are extensive. Particular emphasis has been given to cultural approaches and orientation throughout this work. Culture is of great significance to the native people of Canada. It is reflected in the legal system, structures and laws, and lays the foundation for our educational system and schools. Culture dominates a people's lifestyle.

This review of the literature and annotated bibliography concentrates on the characteristics of the native people as they relate to legal education and information programs. Information has been selected from both the United States of America and Canada.

The information contained in this work demonstrates the need for native people to control the design, curriculum and materials of a legal education and information program. Native communities must be given the opportunity to develop programs which are relevant to them, in general, and to the native learner specifically. The law is important. Every native person knows the power of the law. But the law cannot be taught in isolation from culture, from the respective native communities and from the native learners.

The annotated bibliography provides a representative, not an exhaustive, review of the material available in the fields of law, education and culture. It is intended to provide the reader with a good starting point from which to develop a comprehensive legal education and information program for and with native people.

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Donna L. Kydd

TABLE OF CONTENTS

	Page
Publisher's Note	ii
Preface	iii
Acknowledgements	iv
Introduction	1
Developing a Program	3
A. Goals and Objectives	4
B. Legal Concepts	6
C. Education	9
Learning Principles	10
Cultural Barriers	12
Teachers	15
Instructional Techniques	22
D. Curriculum and Materials	24
Curriculum Goals and Objectives	24
Curriculum Design	25
Community Input	27
A Curriculum Management Plan	31
Materials	31
Conclusion	36
Annotated Bibliography	37
Notes on Organization	38
Cultural Collision	39
A. History and Culture	39
B. Rural Justice	40
C. Culture and Education	42

	Page
Many Laws	43
A. Legal Concepts - Native	43
B. Legal Concepts - Other	45
C. Rural Justice Systems	49
D. Legal Services	52
New Education	54
A. Principles of Learning	54
B. Cultural Influences	55
C. Teacher Training	57
D. Curriculum Development, Methods and Materials	58
E. Projects and Programs	64

PUBLISHER'S NOTE

This work was undertaken by the author while she was a consultant for the Northern Social Research Division of the Department of Indian Affairs and Northern Development. The work was a part of a project undertaken by the Division and the Native Law Centre, University of Saskatchewan to develop and implement a program of legal studies for the Northwest Territories.

The Native Law Centre wishes to express its gratitude to the Northern Social Research Division of the Department of Indian Affairs and Northern Development for a grant given to the Centre to enable it to publish this material and distribute copies to interested parties.

The opinions expressed are those of the author and not necessarily those of either the Northern Social Research Division or the Native Law Centre.

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INTRODUCTION

There is a scarcity of information on legal education and information programs for native people in Canada. What is presently available is either non-native in orientation or is culturally ineffective. This work analyzes the literature and on-going programs in Canada and the United States of America for approach models in law-related education programs. Primarily, this work is to assist those persons or organizations interested and involved in developing a legal education and information program for native people. It must be stated, at the outset, that this work is not the definitive answer to all questions and issues surrounding law programs for native people. Essentially this work is presented as a means to focus in on problems associated with native people and legal education and information programs, and as a guide to information on the subjects of law and education.

In addition to the law and education emphasis, this work centers on culture. A cultural base is paramount to the success of any program of native people. Native people are culturally and linguistically separate people within Canada. Indeed, British Columbia alone has many Indian people with different language dialects within their own tribal group. Programs which ignore the language and cultural differences cannot survive; each cultural group has its own style of learning. Law within the educational sphere must account for these peculiarities, for native and non-native people alike.

Law is a topic which concerns native people. Native people have come face to face with the non-native laws all too frequently. The justice born from these laws is most often harsh and without compassion. The laws of the non-native community are, in general, insensitive to the cultural backgrounds of native people. A cultural collision occurs, with the laws working in the favour of the non-native people.(1) The law is a cold and strange instrument for native people. The law is something which puts native people in jail, takes native people away from their families and communities; and insults native people by considering their cultural values and reasoning unworthy. The law represents foreign concepts, ideals and language. The law is oppressive, intolerant and unjust to the native people. It is a hard fact that there is an over-population of native people in Canadian prisons as compared to the non-native population. The native community is bitter and confused about non-native law ways and institutions.

The attitudes of native people to the law are crucial in the development of any legal education and information program. The native people must feel a sense of participation in the non-native legal system: not from behind prison bars but in the commitment of a social contract between two peoples. A legal education and information program may not be the ultimate approach in obtaining this goal but it is a long-term process in any education of native people about the non-native legal system. The native

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1. Ted Parnell. Barriers to Education (Whitehorse, Yukon: Yukon Association of Non-Status Indians, 1976), p.24.

community must feel equal in the legal system and not harassed by the legal system. A program which purports to teach native people about the law; to provide native people with an understanding of the law and its principles; and to encourage native input into the legal system and its institutions must by definition rely on a cultural-educational foundation. The benefits of this type of program are: firstly, it necessitates community input; secondly, it responds to the localized needs of the community; thirdly, it renews community interest and awareness in cultural heritage, customs and law ways; and fourthly, as a forum it enables the actual participants to acquire new knowledge in the three areas of law, education, and culture which, in turn, can be passed on to others in the participating community.

A legal education and information program must be established on a basis of responsibility: that the native communities participate in all stages of program development, design and implementation and that the resource people and program technicians take direction from the participant native communities. A program must reflect the views, attitudes, issues and so forth of the participant native communities. Otherwise, it will retain the biases of the non-native legal, educational and cultural communities. The specific learning patterns of the native learners will be pushed aside in the latter context. Since an education program requires a commitment from the participant-learners, it is important to have strong support from the native communities. These communities must take an active role in a legal education and information program. Native community input ensures the self-determination of a program, which must exist for the community and be operated at all levels by the community. The control of a program should rest with the community, not with the outside resource persons or the technical staff employed by the program. As well, a program must be initiated by the community. A program will die prematurely if it is brought into the community by outside resource people. The native communities must be able to outline the needs within the community for a legal information and education program.

Resource people and technical staff, once they receive direction from the native community, can be free to put their expertise into the cultural, educational and legal content of a program, and should avoid the politics of a program. If a program is organized by the community or its representatives, the resource and technical personnel can remove themselves from the lesser program development tensions. The program process is for the community to determine in consultation with resource personnel. The value of resource people and technical staff lies in their specialized fields alone with the community using their resources in the manner which best fits the program.

DEVELOPING A PROGRAM

In what follows, the legal information component of a program will be described in terms of: the origins, source and basis of law; the divisions of laws, specific laws and the elements of those laws; the application of laws to fact situations; and, the analysis of fact and law relative to judgements and sanctions. The cultural factors of the native communities will be related to the legal information. Cultural identity, distinct learning styles, and attitude-experienced responses to educational programs will all influence the extent and scope of the law content of a program.

Further to the law, the program information will discuss curriculum and materials; the role and relationship of teachers to the program; and the participant-learners and the participant-community. The educational section will outline the learning principles underlying any education program, such as perception, language and communication skills; attitudes and cultural barriers. Teaching requirements will be assessed in terms of teacher selection and training, teaching styles and their impact on the participant-learner.

Primarily, a program should be geared to change as legal issues and priorities of the community change. The bounds of a program should be constructed so as to encourage flexibility. This would be most pronounced in the methodology: the teaching techniques and the course content. For example, there may be a shift of interest and direction from teaching based on local experience and life situations to a more intensive examination of the legal system, which would include such topics as law reform and diversion. The opportunity for change must be built into a program. Even though the substance of the change might not be apparent at the beginning of a program, it should be anticipated if a program is to grow. What is of concern to the community initially might not be an issue in the latter stages of a program. Similarly, what is expressed in the goals and objectives at a program's outset might prove to be inadequate or over-projected. The program "need" may have different meanings to the community, to the learners and to the resource and technical staff. An awareness of the needs and demands of the respective cultural communities must be foremost in the minds of program planners and organizers. Community contact, apart from the community representatives, is vital. The representatives, at times, will lose touch with the community during the "business" of program development. The community must be able to participate alongside the representatives and maintain a continual input into the functional aspects of program development. It is crucial, therefore, that adjustments and change be allowed for in program structure and procedure.

The most significant feature of a legal education and information program is culture. More important than the law, culture is the essence of any law-related program for native people. Culture is the one element which will sustain the program. The law content may be altered and the educational techniques adapted to the local characteristics of the native group but the cultural force is always present. Culture prevails over the development and design of the program as much as it determines the

outcome and the value of the program. To formulate a program of this nature, without reference to the culture merits of the native learners would be naive. No matter the intention of the resource and technical staff unless special notice is given to cultural effects, a program will fail. A program cannot exist without a cultural base. Safeguards must be established to secure the stature of culture within it. It is not enough to say that the community representatives will be the guardians of culture. The rigors and pressures of program development and implementation may shake even the most devoted cultural advocates. Also, cultural guardianship is too heavy a burden to be placed on the community representatives. The safeguards should be part of the design and structure of the program. There should be some protection in the program framework as well as from the community representatives. All personnel, from resource persons through to teachers, should be selected from a cultural perspective. The prototype of the program should be familiar to the participant community and the learner. There is, as a result, a cultural prerequisite for a successful legal education and information program for native communities.

In my detailed discussion of the components of a legal education and information program for native communities which follows, I have organized my material under the following headings:

A. Goals and Objectives
B. Legal Concepts
C. Education
D. Curriculum and Materials

A. GOALS AND OBJECTIVES

A program does not originate of itself. A program must satisfay a need in the community. For example, where juvenile deliquency is a threat to a community, a program may be created to prevent continued or increased delinquency: to keep the youth of the community active and away from the "criminal sector". The need may be as pronounced in law-related education programs. Community decisions will have to be made as to what is relevant and a legal problem. Definite goals and objectives will arise naturally from the community with respect to a legal education and information program. These goals and objectives must be sorted out according to priority. The goals and objectives chosen must derive from community input.

When dealing with the subject of law, many factors come into play. Everyone has a personal concept of what law is and how it works. In communities where the law has been misunderstood or misinterpreted many distortions come to the fore. Endless debates on the uses or abuses of the law, the adventures and misadventures with the law occur. As an aid to community representatives, some sample goals and objectives are included. Five needs are vital to a good or successful law-related education program:

(1) the need to teach basic legal concepts, for example fairness, tolerance, honesty and responsibility;

(2) the need to teach fundamental principles of law, for example, the protection of human rights;

(3) the need to appreciate the scope and effective limits of the law, for example, to know when legal solutions are appropriate and when they are inappropriate;

(4) the need to teach what institutions of law are like, how they work, how the system operates, what is due process, for example, studying the criminal court system and the individual courts which deal with criminal cases;

(5) the need to teach a critical questioning of rules, the process of rule-making and enforcement, other legal arrangements and issues, for example, what rules are just and effective and why.(2)

The law-related goals and objectives must identify what is to be learned: that is, knowing and understanding the law and legal system, how it works, how to deal with it and how to effect change; knowing and understanding the individual's rights and obligations - as an individual and as a member of a society.

How do these goals and objectives meet the needs of the native communities? If a specific legal issue continually arises in the community, the goals and objectives can isolate the legal problem. The goals and objectives should reach beyond a specific law and speak to the broad issues of the program, giving an over-view of what is contemplated within the program structure.

As mentioned previously, culture is the key to the goals and objectives section of the program. Culture conditions the individual to think and learn in a particular fashion. The non-native community often forgets the pluralistic nature of Canadian society and presumes that everyone thinks and learns in a like manner. This is not so. Our present education system consumes the learner and expects the learner to digest the education information in a institutionalized way, having little or no regard for the ethnic background of the learner. Each individual within a cultural group has her or his own learning style. What is understood and learned by one cultural group may be viewed as absurd by another. Thus, goals and objectives which appear relevant to one cultural group may be inappropriate to another. The native communities as a rule are concerned with different goals and objectives than the non-native communities. The native communities have to contend with laws, norms and values from the non-native community. This added dimension confuses the learner more. Measures must be taken to acknowledge the cultural influences for the native learner with regard to the design of the program, the teaching of the law and the educational atmosphere in which the learning is accomplished. It is important to have the goals and objectives isolate the value approaches of the native and non-native legal systems. The goals and objectives should emphasize the distinguishing features of the native

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2. Joel F. Henning. "Law-Related Education: What Works and What Doesn't." Reflections on Law-Related Education (Chicago, Illinois: American Bar Association, Special Committee on Youth Education for Citizenship, 1973), pp. 10-11.

and non-native value systems in relation to laws and customs. A legal system must represent values of a culture. Native people must understand this set of values to understand and participate in the legal system. The non-native community, in turn, must take into account the cultural differences of the native community. A legal system which holds itself out as a vehicle of justice must be fair and tolerant in its legal determinations for minority groups. If a legal system fails to work on behalf of all groups within the society, it then is fraught with discriminatory practices. To date, the distinct cultural communities, like the native community, pay for their unique cultural base. The legal system does not offer the native people the same protection and security as non-native people. The legal system must become more aware of the value systems of native communities if it is to break down the subjectiveness of its justice. A dialogue about the inherent values of the native and non-native communities is most essential in the goals and objectives of a legal education and information program for native people. The goals and objectives must attend to these differences: to comprehend the "how and whys" of the legal system as well as the opportunity to change the old non-native legal ways when concerning native people.

B. LEGAL CONCEPTS

Program planners and organizers are typically overwhelmed by the law, especially if they are lay persons and the law is outside their "expertise". The law has an aura about it which frightens most people. The legal mystique, as it is sometimes called, is not to be perpetuated. The law and its legal structures must be simplified. The law is difficult only because of its jargon and the closed nature of the legal profession. The law can be explained in average lay terms. Legal education and information programs must encourage the learning of the law and legal systems in a precise and uncomplicated manner. The law content, therefore, must be viewed from the participating community and learner basis. Law must be discussed in relation to the native cultural group. The "black letter of the law" approach is not enough.(3) Law cannot be taught to the exclusion of the philosophy or values behind the law. Nor can law be taught without an examination of law changes and societal influences. The law must be taught from the origins of law through to law reform with a commitment towards a critical questioning of each phase.

Many problems arise in the setting-up of a law-related program. The attitudes of the community and the community professionals towards the program create some of the conflicts. For example, many in the community may be hesitant in considering the implementation of a legal education and information program outside the legal profession. Similarly, the legal profession might be jealous of its "sovereignty" over law issues and legal information. The teachers, in turn might be reluctant to teach law as it would seem too much to handle along with the other subjects. These attitudes can stifle progress in a community organized law-related program. All of these caution signs have their value. Certainly, it is important to monitor

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3. Ibid., p.10.

the legal information disseminated to the learner. The control over legal information can be lodged in training programs for teachers, using legal resource persons in the setting up of the legal content of the program and, finally, in educating the community during the entire program development process. A conscious plan must be developed to clarify and alleviate the questions of competency of teachers, thedirection of the community, and the knowledge to be acquired by the learner. The law should be presented in a creative and imaginative manner, aside from the law content. The learner must be motivated to learn the law and interested in learning more about the law. The same applies to the teachers of the program. If the teachers are not motivated or interested then the program will most likely fall flat. Legal teaching can attain these goals and objectives without losing the substance of law taught. The teaching of law and legal concepts can be guided and channelled properly, and the flow of legal information can be managed in a positive learning environment by lay persons. Lawyers are not a necessity. In fact, lawyers are not necessarily good teachers, though they may indeed be good practitioners. The lawyer is most useful as a resource to a program of this nature.

The following chart illustrates what form the law content can take in a legal education and information program. The chart sets out the requirements in six phases with a breakdown of information components and outcomes for the learners. The chart, in brief, demonstrates how the law can be approached.

PHASE	AREA OF LAW	BREAKDOWN OF AREA	LEARNING OUTCOME
Phase I	Legal Concepts	The origin of law The source of law The basis of law	An overview of society's philosophy and standards
Phase II	Legal Principles	The division of law The specifics of laws The legal elements of those laws	Individual's knowledge of a series of laws
Phase III	Legal Analysis	The application of laws to facts The analysis of mixed law and fact	Individual's experience with set laws
Phase IV	Legal Responsibility	The decisions of law based upon law and fact The enforcement of law through sanctions and punishment	Individual's reasoned decision-making Individual's knowledge of sanctions and punishments
Phase V	Legal Authority	The implications of legal decisions, sanctions and punishments	Individual's accountability towards the law
Phase VI	Legal Policies	The elements of law reform and change	Individual's role in law reform Society's need for change

Phase I introduces the learners to legal concepts: that is, where laws came from, why they developed and what they mean for society and the individual within society. This phase reviews the history of law, the powers of law and the rationale for the law and must be seen in light of the native history and background of custom and law ways. The teacher of the law, in this program, must give time and attention to the cultural laws, ways and customs of the native learner to gain an awareness and understanding of the non-native legal system. The cultural heritage of the native learner can be studied with the law. The study of the law can complement the cultural characteristics of native learners and enhance their growth. The Dine Bibee Haz'aani Project, in New Mexico, has mixed the study of Navajo customs and ways with the American legal system. The emphasis on the materials from this project relates to a bicultural approach to the teaching of law in high school.(4) Another project set up in Alaska stresses the "white man's laws" and "native law". The old ways and new ways are studied together. For example, the Workbook in Legal Education for Teachers in Village Schools, describes the law unit in the following manner: conflicts between white man's law and native law, illustrated by "old Yukon tales","trails and trials"; native law as viewed and written by some white men, including reference to books on the Eskimo culture; and the present legal system in Alaska, with a discussion of lawyers, the state legal system, investigation and enforcement and finally, the courts.(5)

Phase II refers to the division of laws. As indicated in the chart, the division of laws categorizes which laws are criminal and which are civil in jurisdiction. The learners move from the theories of law onto the specifics of certain laws. Laws can be inspected and applied, in Phase II, to real-life situations. For example, legal cases from the community may be chosen to illustrate a point of law, rule-making and punishments. The use of local legal issues aids the native learner and adds to the relevancy of the laws dealt with in the program. Also, learners are more highly motivated by issues with which they have some familiarity. There must be a common thread of legal issues affecting the community and participant-learners.

Phase III mentions the skill aspect of the law content. As the legal information has been absorbed, as much as is reasonably possible, what remains to be taught are the actual skills of applying that information and knowledge in real situations. The learners, now, have the change to experience the law; to screen out what is necessary to resolve the legal issue. The analysis of the law may be simplistic. What matters most is the process of utilizing the skill. The learners should be able to analyze a legal issue and work through the problems. The resolution of the legal issue is not the main focus, though the end product of resolving the problem is pleasing to the learner.

Phase IV concentrates on the decision-making practice: the area of determining legal responsibility. The learner becomes the "reasoner" or

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4. Dan Vicenti, et al. The Law of the People: A Bicultural Approach to Legal Education for Navajo Students 4 vols. (Ramah, New Mexico: Ramah Navajo High School Press, 1972).

5. Frank Barthel, et al. Alaska Natives and the Law: A Workbook in Legal Education for Teachers in Village Schools (Fairbanks, Alaska: Legal Services Corporation, 1976).

judge of the situation, deciding and reasoning out the behaviour or circumstances of the case according to the rules and regulations of society. Far more than judging the case and the law as they relate to the case, the learner has to observe and study the principles and conditions of punishment or reprieve. Phase IV enables the learner to understand societal sanctions and to evaluate what is lawful and unlawful behaviour.

Phase V is concerned with the accountability of laws. For example, if a criminal case is used, the practical effects of sentencing can be examined. Not only does the learner look to the typical sentence time, but also to the types of prisons available and the impact of prison sanctions on individuals in terms of "rehabilitation" and so forth. The learner understands the crime, recognizes the crime, determines the crime-punishment factors and rationalizes the result. A discussion may follow in terms of those laws which victimize the underdog or free the more affluent members of society. The laws, in any event, are questioned and scrutinized from the individual's and from society's vantage point.

Phase VI considers law and policy, law reform and change. Discussions as to methods of delivering a justice system based on non-native law to a culturally and linguistically different population should arise. In Alaska, an evaluation of the non-native justice system has been realized as well as an assessment of the old village council system of the native people. These critiques have raised the possibility of combining the non-native and native social control mechanisms. The research completed in this area has enabled the legal profession and government community to seriously look at their system as it relates to native people.(6) This phase assures the learners of the opportunity to examine the work in other cultural areas and to formulate alternatives or options to the non-native legal system. Phase VI involves an exploration of approaches to laws, their application and their potential to change. Phase VI, also, encourages critical questioning and an identification of laws which are functional or disruptive. The learner examines any inconsistencies in the laws and the possible abuses in interpreting the laws from point of in-take to final resolution.

C. EDUCATION

The discussion of education is divided into three major headings:

(1) Learning Principles, in which perception, language and communication skills are discussed;

(2) Cultural barriers, in which attitudes of native people to the education system, learning environments and cultural incompatibilities, and the school system are discussed; and

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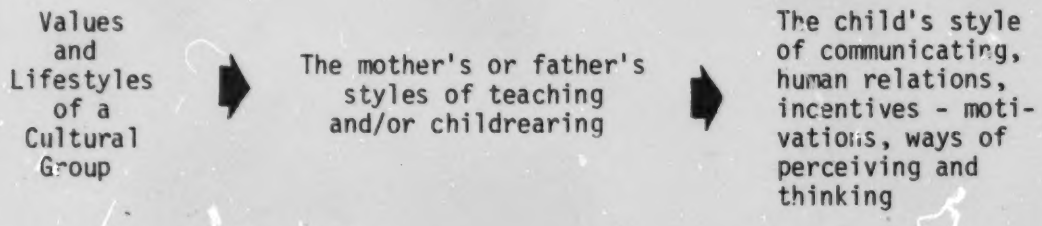
6. Arthur E. Hippler & Stephen Conn. "The Changing Legal Culture of the North Alaska Eskimo". Ethos, 32:171 (1974).

(3) Teachers, in which teacher characteristics and selection, training models, and instructional techniques are discussed.

LEARNING PRINCIPLES Perception, language and communication skills all play an interesting role in the development of a learning environment. Each relate to the total learning style of the learner. For example, it has been stated that our first perceptions, speech and communication skills derive from our cultural backgrounds. The diagram below illustrates how cultural influences are passed on from parent to child:(7)


Values and Lifestyles of a Cultural Group
The mother's or father's styles of teaching and/or childrearing
The child's style of communicating, human relations, incentives - motivations, ways of perceiving and thinking

When an educational program is discussed, cultural factors loom large. Perceptions control the obvious - each individual perceives what is "out there" in a unique way.(8) In fact, "whatever criteria you use, all you ever have to work with...are the perceptions of the learners at a particular time".(9)

What does this mean? How can it be so crucial? It is necessary to demonstrate the dynamics of perception. Taking the concept of time, two completely different interpretations can be shown by the native people's community and non-native communities:

> time [for the non-native community] is conceptualized as as a straight line...as a quantity...as lengths made of units. A length of time is envisioned as a row of similar units. A logical and inherent characteristic is that once a unit of river time flows past, the particular unit never returns...it is gone forever. This characteristic leads to other concepts such as wasting time, making up time, buying time, being on time...Another characteristic of this linear concept of time is that each unit of time is totally different and independent of similar units... each day is considered a different day. Every day is a new day, every year a new year.

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7. Manual Ramirez, et al. Spanish-English Bilingual Education in the U.S.: Current Issues, Resources and Research Priorities (Arlington, Virginia: Center for Applied Linguistics, 1977), p.43.

8. Neil Postman and Charles Weingartner. Teaching as a Subversive Activity (New York, New York: Dell Publishing Company, 1969), pp. 89-91.

9. Ibid., p.97.

> [time for native people is thought of]...in terms of cyclicity. Time is not a straight line. It is a circle. Every day is not the same day, but the same day repeating itself. There is no need to name each day a different day. You need only one name: day... the sun is round; the moon is round; a day is a circle - daylight followed by night; the seasons follow the same cycle year after year.
>
> A characteristic of cyclical thinking is that it is wholistic, in the same way a circle is whole.(10)

Language is, also, a function of culture. Language is thought of by some as:

> the outward expression of an accumulation of learning and experience shared by a group of people over the centuries of development. It is not simply a vocal symbol; it is a dynamic force which shapes the way a man [a woman] looks at the world, his [her] thinking about the world and his [her] philosphy of life.(11)

Language expresses cultural orientations. For example, the Inuit language or tense system reflects either the present, immediate past or immediate future.(12) The European languages are quite different; they are future-oriented. Words, as well, cannot be easily thrown from one culture into another. Concepts in one language may be understood very differently, or not exist at all, in another language. "Guilty" is a concept much used in our criminal justice system. It is not found in the language of the Inuit. It has no meaning in the traditional culture of the Inuit.

How does this relate to learning? What is the connection of language and learning? The gap between cultural groups is, upon first contact, the language.

According to Postman and Weingartner, people are:

> imprisoned, so as to speak, in a house of language. We try to assess what is outside the house from our position within it. However, the house is "oddly" shaped (no one knows precisely what a "normal"

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10. Martin O'Malley. The Past and Future Land: An Account of the Berger Inquiry into the Mackenzie Valley Pipeline (Toronto, Ontario: Peter Martin Associates Limited, 1976), pp. 238-239.

11. The National Indian Brotherhood, "Indian Control of Indian Education". The Only Good Indian, Waubageshig (ed.) (Don Mills, Ontario: New Press, 1978), p.208.

12. Raymond C. Gagne. "Spatial Concepts in Eskimo Language". Eskimo of the Canadian Arctic. V.F. Valentine & F.G. Vallee (eds.) (Toronto, Ontario: McClelland & Stewart Limited, 1968), p.32.

> shape should be). There is a limited number of windows. The windows are tinted and at odd angles. We have no choice but to see what structure the house permits us to see...that is, language is not only a vehicle of expression, it is also the driver. What we perceive, and therefore can learn, is a function of our languaging processes.(13)

There are two kinds of communication skills to be acquired by the native learner in a legal education and information program. Firstly, the learner has to acquire the skill of learning the legal language.(14) Secondly, the learner has to acquire the skill of learning the language of another culture. Law has a complex language of its own. Legal language is a special barrier to native peoples. Time and attention must, therefore, be given to redefining the language of law in terms which are familiar to the native learner. Similarly, with the language of the culture, native people must become more acquainted with the extent culture and language relate in the non-native community.

In a program which is geared to a target group with a potential or actual language difference, the educational setting must be particular in its design and development. The planners of the program must deal with the teaching of non-legal as well as legal communication skills. The program must educate the native learner to the language structure of the law and of the native and non-native cultural group. The program must balance the skill requirements of the law and cultures in such a way as to enhance total learning and absorption by the native learner. This goal must be accomplished without intellectualizing the skill function beyond the capabilities of the native learner. The communication skills must be practical and useful for the native learner in both the legal and cultural aspects.

CULTURAL BARRIERS In addition to the language, perception and skill teaching, attention must be given to attitudes. Native people have had many harrying experiences with the non-native educational system.

The residential schools have had their impact on native people. Enough native people have had bad experiences to merit discussion. Samples of these attitudes are included to illustrate the concerns of native people and their possible reluctance to become active in a law-related education program.

Dolphus Shae of Fort Franklin, N.W.T. spoke of the "forced schooling":

> Before I went to school the only English I knew was "hello" but when we got there we were told that if we spoke Indian they would whip us until our hands were blue on both sides...it made us feel inferior to to whites.(15)

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13. Postman and Weingartner. Teaching as a Subversive Activity, pp. 101-102.

14. Paul Diggs. "Communication Skills in Legal Materials: The Harvard Law School Program". University of Toledo Law Review, 2:3:763 (1970).

15. O'Malley. The Past and Future Land, p.35.

Francois Paulette of Fort Smith, N.W.T. spoke of education in general:

> Education is another thing that the white man imposed on us. We've had to learn their ways. Everything seems to be on one side. Nobody wants to learn the Indian way or the values of the Dene people, the spiritual life.(16)

Gina Blondin of Rae, N.W.T. spoke of her painful experience with the residential school system:

> When I left Fort Franklin I did not know a word of English. After five years of hostel life, I did not know a word of Slavey. I will always find the loss of my language one of the most tragic and destructive things that education has done for me.(17)

These agonizing introductions to education have a very decided effect on native people and their input into the education process. It is hard to dissipate these grumblings and complaints about the educational system. The educational system has not been kind to the native people of Canada. Indeed, the educational system has contributed to the educational genocide of the native people. There may, as a result of these feelings, be a hesitancy on the part of native people to participate in a legal education and information program. On the other hand, these past experiences might provoke increased attention and activity by the native community. In either case, the program initiators must be aware of these hurdles.

A positive learning environment is most important. As native learners may be alienated by programs prepared by the non-native community or resource persons, it is essential that the native community be involved and controllers of the program. In this way, any negative feelings about the educational system will be avoided. Also, with the concentration on a cultural approach, the environment for native learners has more potential. Native learners would not be victimized as they are in the non-native education programs.

Cultural collision occurs when native people are placed in non-native education programs.(18) Research has been completed in the area of cross-cultural or bilingual/bicultural environments. Cardenas has outlined three ways in which the incompatability between instructional programs designed for children of the dominant culture in a traditional school setting and the cultural backgrounds of minority children is manifested:

(1) most school personnel know nothing about cultural characteristics of the minority school population;

(2) the few school personnel who are aware of these

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16. Ibid., p.218.

17. Ibid., p. 251.

18. Parnell. Barriers to Education, p.24.

cultural characteristics seldom do anything about it;

(3) on those rare occasions when the school does attempt to do something concerning the culture of minority groups, it always does the wrong thing.(19)

The conclusion drawn from these experiments with minority children is that:

> the amount children learn in a classroom is dependent on their race or ethnicity, the related cultural characteristics, their culturally related preferred learning styles and the style used by the school.(20)

In particular, Cardenas asserts that:

(1) the development of education programs which respond to one of the incompatibilities (that is, poverty, culture, language, mobility and social perceptions) and ignores the others is doomed to failure;

(2) the development of an education plan which responds to the needs of minority children must be a comprehensive plan which takes into account all areas of incompatibility rather than a piecemeal effort.(21)

What does this information "do" for the planners of the program? Certainly, the information reaffirms the importance of culture and its effect on learning for native people. Secondly, it reinforces the concerns set out previously in this work as to language, perceptions and communication skills.

The dimensions of mobility and poverty have not been discussed earlier and therefore merit further consideration. Cardenas maintains that:

> the growth of a child in a poverty situation leads to a non-typical development pattern which differs from development patterns of middle-class children. Also the educational handicap of poverty children comes about when they count the unique early

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19. Dr. Jose A. Cardenas. "An Education Plan for the Denver Public Schools". Bilingual-Bicultural Education: A Handbook for Attorneys and Community Workers (Cambridge, Massachusetts: Center for Law and Information, 1973), p.12.

20. Ibid.

21. Ibid., pp. 15-16.

developmental level which is found in middle-class children.(22)

In a nutshell, the research has found that the poverty imposed on the minority children affects their intellectual growth in comparison to "normal middle-class" children. This places the minority child at another level of disadvantage when competing with middle-class children in the same educational environment. The research emphasizes the reasons for the high failure rate and high drop-out rate of the minority child. The minority child is faced with many barriers: five, in fact. The mobility factor, the last of the incompatibilities, refers to the lack of continuity the child faces when moved from place to place.(23) The syndrome associated with poverty attaches to the mobile nature of the family.

Community involvement in the program may lessen these incompatibilities, but without sufficient planning even the community input may not ensure that the needs of the learner are met. The program site must be acceptable to the community and the learner to reinforce the strengths of the learner and promote a good learning environment. A culturally based program from the community on legal education and information appears the most likely to succeed. A school setting within the traditional education system does not seem to be the proper site for the program. The school system may present too many procedural blocks for community control and cultural biases. Cultural centers may be the most suitable site for the program. Alternative centers for the program also have their own inhibiting features: funding problems, selecting teachers and resource persons, finding technical staff, avoiding community politicking and so forth. Program sites are of considerable concern and therefore should be investigated in terms of benefits and risks. The most suitable site must allow community input and involvement throughout.

TEACHERS The teachers of the program are next for review. Given the scope of the legal education and information program, how do the teachers fit in? The teacher should meet the program and community needs. A program which is teacher-oriented is not appropriate in this type of community program. The program and the teacher are a package: the teacher should be identified and selected at the beginning of the program development. The experience of the teacher in law-related programs or in cultural programs may be invaluable to the program organizers. The teacher is a natural resource and as a result should be a resource participant in the program design and development stages. It may be an advantage to have the teachers in the area aware of the program at the outset. Teacher selection should be localized if possible as the teacher knows the community and is a known "commodity" in the educational environment. Teachers should not be chosen on the basis of their law knowledge, but their knowledge of the local culture, language patterns and learning styles of their students should be taken into account.

The Arctic Institute of North America has devised a set of guidelines

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22. Ibid., pp. 10-11.

23. Ibid., p.13.

for teachers of native programs. The guidelines are set out as follows:

(1) knowledge of the local culture;

(2) training for cross-cultural education;

(3) training for special teaching areas;

(4) in-service training;

(5) studies in social sciences;

(6) teaching in a second language;

(7) cultural studies;

(8) understanding and speaking the native language.(24)

These are sample criteria to consider in the aptitude of the teacher to the program and the community. If the teacher is from a culturally different environment, it is important that the teacher be able to perform and adapt to the community and the native learners. The teacher must be able to:

(1) understand the learners in the context of their home and community;

(2) identify learner needs and difficulties, the obstacles to learning, and those things that motivate the learner;

(3) to involve the learners and their families in the planning, modification or adaption of the curriculum to better fit learner needs and motivation.(25)

Who then is an effective teacher? With the small number of native teachers in the market, consideration must be given to teachers from non-native communities. Many skills are essential for a teacher in a cross-cultural setting, some of which have already been mentioned. Kleinfeld recommends two further qualities:

(1) A willingness to establish a personal bond with the participants: that is, a personal orientation as opposed to task orientation.(26) It has been shown that students communicate better and, thus, improve learning potential when a warm bond has developed between the teacher and the participant. Indian and Inuit students respond best in a situation where a teacher has created a classroom "climate of emotional warmth". It "dissipates students' fears in the

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24. The Arctic Institute of North America. Education in the Canadian North: Report #3 (Montreal, Quebec: Man in the North Project, 1973), p.137.

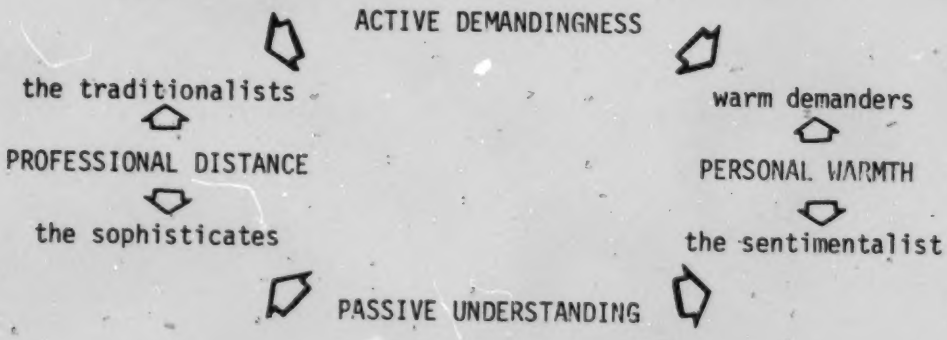
25. Ibid.

26. Judith Kleinfeld. "Effective Teachers of Eskimo and Indian Students: Teaching Alaskan Children". School Review (February 1975), p.304.

classroom and fulfills their expectations of a highly personalized relationship".(27)

(2) A teaching style that demands a high level of intellectual participation: that is, after a personal rapport is established the teacher can become more demanding.(28) The teacher must have the ability to resolve her or his own ambivalent feelings about the legitimacy of her or his educational goals and express concern for the village students, not by passive sympathy but by demanding a high quality of academic work.(29)

It appears, therefore, that the teacher who generates the most intellectual activity or learning is the one who combines personal warmth and active demandingness, as opposed to professional distance and/or passive understanding. These distinctions are best illustrated in the following manner:(30)



Too often the teacher misses out on additional training or education. Any learning environment must accommodate both the teacher and the learner. Both require teaching. As to any law-related training or education for teachers, several matters come to mind:

(1) law is a formidable subject to teach due to its varied and troubling concepts, issues and information. It is complex, controversial and unfamiliar to the layperson. Training for teachers is paramount and inseparable from the success of the program. Teachers ought not to feel as though they are being "thrown to the wolves" when they decide to teach law, nor should they try to teach "off-the-cuff". They should have a source of information and tecniques on teaching the law.

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27. Ibid., p.318.

28. Ibid., p.336.

29. Ibid., p.318.

30. Ibid., p.329.

(2) teachers who do teach law must have a commitment not only to learning the law for their own self-interest but also to relaying that learned information to the participants.

(3) teachers must have a back-up in terms of further counselling and assistance, by resource persons and training workshops. This prolongs the life of the program and motivates the teachers. It enables teachers to grow with experience and increased knowledge as well as improve their performance. The net result is to heighten the interest of the participants and thus what is learned by them.(31)

Teacher education is a must for teachers involved in legal education and information programs. Many training programs have sprung up in the United States of America. This work will focus on three such training programs;

(1) an in-service training model set up for teachers during the school year;

(2) a coordinator model wherein team teaching is a key; and

(3) an eight-step teacher education program which involves the community and the learners.

The in-service model is outlined below in the form of a chart which describes the teacher program in five phases. The Law in a Free Society Project developed and designed this model. It includes a package of curriculum and materials for teachers and learners alike.

The topic for this program is freedom which is set out in terms of time frame, content description, teaching methods, and expected outcomes:(32)

TIME FRAME	CONTENT DESCRIPTION	TEACHING METHOD	MATERIALS	OUTCOMES
Phase I	defined freedom re: constraints and restraints; developed a question strategy to help students; group level discussed methods and content of the session, how it related to curriculum at various grade levels, the needs and abilities of the students.	first in groups of 3-5 per grade level second, with the group together in discussion	used the casebook on Freedom	developed key questions and formulated a coherent questioning strategy

31. American Bar Association. Special Committee on Youth Education for Citizenship. Law-Related Education in America: Guidelines for the Future (St. Paul, Minnesota: West Publishing Company, 1975), pp. 31-34.

32. Charles N. Quigley and Richard C. Clarke. "Teacher Education During the School Year: A Law in a Free Society In-Service Model". Teaching Teachers About Law: A Guide to Law-Related Teacher Education Programs (Chicago, Illinois: American Bar Association, 1976), pp. 83-87

TIME FRAME	CONTENT DESCRIPTION	TEACHING METHOD	MATERIALS	OUTCOMES
Phase II	studied the attitudes toward freedom and some factors that affect them; developed a grade level strategy on enhancing freedom in school environment	panel members were used - those familiar with youth attitudes; participant discussion; grade level workshops	used the casebook; curriculum guide book	examined the school environment of student freedoms; designed a strategy at grade level.
Phase III	studied what the costs and benefits of freedom are; discussed the progress of the level strategies	used historical approach; had grade level workshops	used the casebook	developed a progress report on strategies
Phase IV	determined the scopes and limits of freedom discussed case examples and case decisions; made present of grade level lesson plans to group	case work by the small groups; group discussion; grade level workshops	used the casebook, curriculum guides and lesson plans	set of considerations in determining the scope and limits of freedom
Phase V	prepared issues, roles and observers for a simulation mock trial; conducted a trial and made jury decisions.	mock trial using an actual courtroom and jury-room; had resource persons present	used the casebook	learned about the court system and participation

The coordinator model introduces the classroom teacher to law-related curriculum materials; assists teachers through team teaching; provides media resources for teaching aids; plans relevant field trips and resource panels; and demonstrates new teaching techniques to the teachers.(33) The coordinator is the teacher's assistant for a seven-week period. When the classroom teacher is having trouble with a legal concept or technique, the coordinator can be used to support the teacher. The team teaching model is useful in that the classroom teacher can learn while teaching.

The final model to be outlined is the eight-step teacher education program.

33. Linda Riekes and Sally M. Ackerly. "The Coordinator Model". Teaching Teachers About Law: A Guide to Law-Related Teacher Education Programs (Chicago, Illinois: American Bar Association, 1976), pp. 162-171.

As with the first model, a chart is provided below to assist the reader:(34)

STEP	PROGRAM	DESCRIPTION
1.	Awareness Program	a 7 hour in-service program where the participants are instructed in elementary and secondary law levels and are given a taste of law-related content and stretegies. a period where a resource cadre of people are built into the program.
2.	Teacher Orientation	a program to inform teachers of the law-related education program. a phase wherein the goals and objectives of the program are considered.
3.	Community Resource Person Orientation	a program to introduce lawyers, and other law-related resource persons to the goals and rationale of the program. a program which enables the planners to demonstrate the methods to be used as well as the content to be taught.
4.	Leadership Training Workshop	a workshop where the substantive law is taught and the legal information is applied through a variety of educational methods.
5.	Student Workshop	a session where the students are trained in lesson planning to assist elementary school teachers. a workshop where students are used as aides for a high-school mini course or teacher training unit.
6.	Classroom Implementation Workshop	a two week session where teachers prepare to implement the law-related content and techniques in the classroom.
7.	Teacher Education In-Service Course	an eight week course which is comprised of field trips, the study of law and techniques of teaching the law.

34. Donald P. Vetter and Gerald W. Paradis. "The Maryland Model for an Eight-Step Teacher Education Program". Teaching Teachers About Law: A Guide to Law-Related Teacher Education Programs (Chicago, Illinois, American Bar Association, 1976), pp. 174-191.

STEP	PROGRAM	DESCRIPTION
8.	Curriculum Development	a workshop on the elements of a uniform law-related curriculum but with instructional packages geared to local curricula. Two curricula packages are used: Crime and Justice - a curriculum guide for a nine week mini course. Students' Rights and Responsibilities - individualized curriculum for students

As can be seen, each program is based on different training models and each is developed within the school system. The training programs are inclined to illustrate current thinking in the field of teacher education.

Teacher education programs must be seen as part of the overall legal education and information program for native people. In essence, teacher education is a program within a program. Training programs within this format should stress three separate levels: the law, the culture, and educational methods within the legal and cultural framework. The models described do not combine the cultural aspects with the legal content in that their target group is mainly middle-class and non-native. The addition of culture in a training or education program for teachers is necessary. Teachers need to have a support system available to them in order to best serve the learner. Training programs which continue during the program course are vital. These sessions provide the teacher with valuable feedback and the motivation to learn from experience as well as through in-service workshops. Teachers, though, should have some basic training prior to the program implementation. The teachers have the opportunity to experiment on teaching techniques in a low-risk situation and a chance to learn as much about the law and culture as they wish.

Teacher education should not be seen as a one-shot session. The teachers should be able to anticipate workshops throughout the duration of the program. Also, teachers should be able to assist in setting up workshops for resource persons: to enable the resource persons to perform within the program setting. Teaching is a creative process as is the learning aspect. Teachers should feel this process is available to them and that the program is not stationary. The program content will change from time to time and the teachers must be able to adapt to the change and continue teaching in an interesting and motivating style.

Native people can become teachers in the program by means of training in community-guided teacher programs or apprentice teacher programs. It would be of high priority to have native teachers in the program as they already have the appropriate cultural background and would have credibility with the target group.

The community-guided teacher is defined as:

> that person who initiates students to the knowledge and skills of her/his natural environment, the planning and teaching of which [is] assumed by the local community and the people it designates.(35)

The community-guided teacher could "mix" the law and cultural subjects of the program. The community could maintain its control and direction over the program by selecting a person within the community base. Resource people could assist the community-guided teacher in developing a knowledge of the cultural history of the community and adapting that knowledge in relating culture to the law. The community-guided teacher would have as support an accredited teacher, in terms of an education resource or backup.

The apprentice teacher is like the community teacher in that she or he is chosen from the community and lacks educational credentials. The apprentice teacher, though, works into the teaching of the program with the aid of a certified teacher. The apprentice teacher is involved in a team teaching approach at the start and later develops a personal teaching style. The apprentice teacher learns and performs alonside the certified teacher for a period of three months, more or less. After the apprentice period is over, workshops are arranged to determine the value of the approach and its practicality in terms of the community and the learners.(36)

In either situation (the apprentice teacher or the community-guided teacher) the program can fulfill two objectives:

(1) Ensure that native people instruct their own people, their own cultural and linguistic group. The community could cultivate its own teachers and would motivate experienced teachers in training local people.

(2) Free the resource people to perform resource functions. The teacher would, in turn, be able to concentrate on teaching strategies and techniques. The law, culture and education components would be satisfied.

INSTRUCTIONAL TECHNIQUES In this section I briefly outline methods of instruction for teachers in the program. The following list pinpoints known techniques in teaching law to lay people.

(1) Problem-solving. This method can be used by experts, resource persons and teachers to get the learners to participate in the program. Small groups are best in this method. The learner can work though a problem by issue and fact. The learners solve the legal problem by applying the law learned to the situation.

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35. The Arctic Institute of North America. Education in the Canadian North, Report #1, p.3.

36. Ibid., pp. 99-109.

(2) Role-playing. This method is used to bring the learner into the situation or circumstance of the case. This humanizes the acquisition of legal information and guides the learner into recognizing legal issues, the law involved with the issue and the assumptions built into the law.

(3) Panel Discussions. This method can be most stimulating depending upon the level of the learners. Panel members must be screened for their knowledge, their interest and their ability to pass on information to a native learner audience.

(4) Audio-visual Techniques. This method can be pleasing to both the learner and the teacher. It is a diversion from the normal routine and can be quite functional, a picture being clearer than words. Court action is particularly effective in this medium. Films have been used effectively as an educational tool in the Mackenzie Delta.(37) This method not only assists the learner in assimilating legal and cultural information but also is entertaining.

(5) Simulation Games and Exercises. This method is fun for teachers and learners. A law game can be used to show how the law operates and what is involved in law cases. For example, the law game can award law, social and money points to each case along the game board to show the learner the various concerns relating to the case.(38)

There are many more instructional techniques available to the teacher. Dwight Gibson, in his Law Pamphlet #1: Methods, outlines the varying techniques used in his classroom. The methods range from case studies to moot courts, mock trials, skits, drafting legislation, drawing up contracts, book reports, tape recordings, field trips, legal language games, surveys, commissions of inquiry, quotations, posters and so forth.(39) Also, there are fairly extensive catalogues on games and audio-visual materials published by the American Bar Association under the Special Committee on Youth Education for Citizenship.(40) A less publicized, yet very effective, teaching strategy is puppetry. A British Columbia project used puppetry to successfully explain the laws and what the laws did to elementary school

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37. Betty and J. William Eades. The Use of Films for Adult Education in an Indian-Eskimo Community (Ottawa, Ontario: Department of Indian & Northern Affairs, 1971), p.1.

38. Michael Sharzer and Donna Kydd. The Law Game (Vancouver, British Columbia: Legal Services Commission, 1977).

39. Dwight L. Gibson. Law Pamphlet #1: Methods (Kanata, Ontario: Earl of March Secondary School, 1973).

40. American Bar Association. Gaming: An Annotated Catalogue of Law-Related Games and Simultations (Chicago, Illinois: American Bar Association, 1975).

American Bar Association. Media: An Annotated Catalogue of Law-Related Audio-Visual Materials (Chicago, Illinois: American Bar Association, 1975).

children.(41) The puppets brought the imaginations of the children into the law arena.

D. CURRICULUM AND MATERIALS

The development of curriculum and materials is the section of the legal education and information program with the greatest impact. To the community, this section represents their efforts in the evolution of the program, and indeed demonstrates the importance of the community input process. Specifically, the curriculum and materials firmly establish the cultural, educational and legal goals and objectives of the program, and also illustrate the community base within the program. The strength and support of the community, for the program, is an absolute. With community participation in the development of this section the program's orientation is assured.

The community input process will be described in detail throughout the discussion of curriculum development. The curriculum development portion of this work will be divided into four steps:

1) curriculum goals and objectives;

2) curricu[illegible]ign;

3) community input; and

4) curriculum management plan.(42)

CURRICULUM GOALS AND OBJECTIVES The curriculum goals and objectives are detailed in several ways:

(1) defining the goals and objectives - defining which experiences are to be planned for the native learner and which will aid him in the learning of the law and legal system;

(2) identifying community values and philosophy - identifying what the community wants, and stressing its relation to law-learning;

(3) deciding what law will be taught, how it will combine the cultural characteristics of the community - deciding what the community needs and wants in terms of their culture and the law; deciding what the learner needs are with regard to their culture and the law;

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41. Ruth McGee and Pamela Schweitzer. Puppetry and the Law: A Curriculum Development Project in Legal Education for Elementary School Level (Vancouver, British Columbia: Legal Services Commission, 1976).

42. Phil Lane, Jr. Curriculum Development: Title IV Regional Conferences (Seattle, Washington: United Indians of All Tribes Foundation, 1975).

(4) setting out the educational goals and learning theories - setting out how the native learner perceives, remembers and judges the law; how the native learner is influenced, impressed and touched by the law; and finally, how the native learner responds to the new legal information.(43)

The curriculum goals and objectives speak to the native learner and the native community. The cultural, educational and legal aspects are related to the program from both the community and learner viewpoints. Community direction is maintained and expressly included in the goals and objectives. It is essential that community input is emphasized in all stages of curriculum development. The goals and objectives, also, restate the importance of law-learning within a cultural setting.

CURRICULUM DESIGN The curriculum design refers to the curriculum orientation. In particular, the curriculum designs reviewed are:

(1) Subject-matter oriented. This is further divided into: a correlated curriculum; a fused curriculum; and a core curriculum.

(2) Target-group oriented. This is further divided into: an activity curriculum; a learner-centered curriculum; and an experienced-centered curriculum.

(3) Society-oriented. This is further divided into a society function curriculum and a community-centrered curriculum.(44)

The curriculum design models are best exemplified in the following chart:(45)

SUBJECT MATTER	TARGET GROUP	SOCIETY-CENTERED
correlated curriculum learning by memory separate subjects like math or reading	activity curriculum involving the learner in determining the subject taught and the lesson planning with the teacher.	society function organizing the subject lesson around a major function of social life without losing sight of needs and interests of the learner.
fused curriculum selecting curriculum content from a number of different but related subject fields and then combining them into one broad area.	learner-centered directing information or skills toward meeting needs, interests and purposes of the learner.	community-centered utilizing the life of the community as the center around which educational programs are organized.

43. Ibid., p.5.

44. Ibid., p.6.

45. Loc. cit.

SUBJECT MATTER	TARGET GROUP	SOCIETY-CENTERED
core curriculum using one subject or a group of subjects as a core around which other subjects are organized.	experienced-centered experiencing the subject in a free school environment.	

Which curriculum design is most appropriate? A curriculum design which centers on learning the law by rote would be unwise. A successful curriculum design, if the goals and objectives are to be observed, must incorporate some elements of each grouping. For example, a curriculum design which touches on the target group, the subject-matter and the society-centered base would seem viable:

a fused curriculum ⬌ activity-concentrated learner-centered experience-oriented ⬌ community-centered

The fused curriculum has the advantage of bringing together a number of subjects, such as culture, education and law, into one broad subject.

The activity-oriented curriculum allows the learner to become involved in choosing the laws or legal issues in the program. The learner would, therefore, have a greater interest and motivation in the program and, hence, more commitment to the program. This might be particularly effective if adults are chosen as the target group for the program.

The learner-centered curriculum speaks specifically to the goals and objectives of curriculum development: the information and skills are directed towards learner needs and purposes. The learner must feel the program is for her or his benefit and that the program will provide a necessary source of information in her or his life within the community.

The experience-centered curriculum gives the learner some freedom in the "planned experiences" of the program. The curriculum enables the learner to participate in the program process. The learner can maintain a sense of localized experiences if she or he so desires or, alternatively, set a different and unfamiliar series of law-related experiences.

The community-centered curriculum speaks to the involvement of the community. This curriculum design permits the community to implement its own values and philosophy in the program. The learner is provided with law-related information which is community-centered.

There are, as illustrated, many options available to program planners and organizers. The design selected must be guided by the curriculum goals and objectives. Perhaps the curriculum design can amalgamate all the different curricula. However, this seems most unlikely. Therefore, it is important that considerable time and attention be given to the design selection.

COMMUNITY INPUT As mentioned throughout this work, the community plays a very functional role in a legal education and information program for native people. The involvement of the community must go beyond periodic discussions of the curriculum. The communities are, in fact, the planners of the curriculum and the curriculum products. The native communities are the initiators, the developers and the participants in the program. The community, therefore, is a real force within the curriculum development process.

What form will this community input take? Lane describes five stages of community involvement:

(1) community representatives - the community must select persons to set up a committee on curriculum development. The committee should consist of "grass-root" community people: non-professionals or persons outside the cultural, legal and educational fields. The committee should be representative of the community not a professional body. The professionals can be more useful in their capacity as resource people.

(2) community workshops - the community should be aware of the progress of the curriculum and be informed about the curriculum development process. The workshops provide the means: to communicate with the community members; to have the community exercise its control over curriculum development; to recruit community members as resource persons; and to evaluate community cultural, legal and educational needs and demands.

(3) pilot testing in the community - the community has the chance to assess the curriculum in the pilot test phase of curriculum development. The community can have input into the curriculum content, design and products.

(4) community evaluation of the curriculum - the community, through its committee, reviews and makes recommendations as to the curriculum products. The community, in this way, can make alterations in the curriculum product before the curriculum is implemented.

(5) community approval of the curriculum - the community has the final say in the curriculum products. The community, through its committee, can accept or reject the curriculum product. The community establishes the guidelines for the final curriculum product and gives approval.(46)

Community input in the program can be described more adequately in chart form. The following chart has been devised to clarify the community input process in curriculum development:(47)

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46. Ibid., pp. 13-15.

47. Loc. cit.

PROCESS	DESCRIPTION	OUTCOME
1. Community Meetings Community Curriculum Committee (C.C.C.) elected	community members input into the curriculum development process	defining the curriculum goals and objectives priorizing curriculum design and content selecting a community curriculum committee
2. Community Curriculum Committee Meeting Educational Advisory Board (E.A.B.) Chosen	C.C.C. input into setting up community workshops and maintaining community awareness	setting up curriculum development community workshops organizing a recruiting method in the community areas for resource persons, teachers and participants maintaining community awareness of the program selecting an educational advisory board from the community to aid in the assessment of the curriculum and materials
3. Area Meetings Participants Chosen Participant - Community Meetings	area community input curriculum content and educational needs participant input into community meetings - curriculum content and educational needs	defining curriculum content assessing community educational needs selecting the participants from the community evaluating participant response to the curriculum content and educational needs
4. Production of Curriculum and Materials Technical Staff Chosen	technical development staff input into curriculum and materials	selecting a technical development staff acting upon community priorities beginning materials development drafting the curriculum product
5. Education Curriculum Meeting Educational Consultant Hired	educational input into curriculum development and materials	assessing educational needs in curriculum materials developing curriculum and materials evaluating and revising same preparing curriculum and materials for pilot test

PROCESS	DESCRIPTION	OUTCOME
6. Community Curriculum Committee Meeting	C.C.C. input into curriculum and materials	deciding upon the curriculum and materials making necessary adjustments to same preparing for the pilot test
7. Pilot Test	input of test pilot group to curriculum and materials	introducing the educational product, including the teacher's manual, to the test group adjusting the curriculum and materials
8. Community Curriculum Committee Meetings	C.C.C. input into curriculum and materials after the pilot test	revising the curriculum and materials to community needs after the pilot test finalizing the curriculum and materials
9. Community Curriculum Committee and Educational Advisory Board Meeting	C.C.C. and E.A.B. input into curriculum and materials E.A.B. input into educational techniques and strategies	preparing the curriculum and materials for dissemination making curriculum and educational products ready for further field tests
10. Field Tests Teachers Hired	participants input into curriculum and educational production teachers input	testing the products in an actual classroom setting with the participants revising and modifying the test products
11. Community Curriculum Committee and Educational Advisory Board Meeting	C.C.C. and E.A.B. input into field test results	beginning teacher training adjusting curriculum and educational products from the test results approving revisions and making ready for use continued teacher training
12. Community Curriculum Committee Meeting	C.C.C. input into products for the last time	receiving summative evaluation of materials measuring the products' effectiveness obtaining final approval of products disseminating products

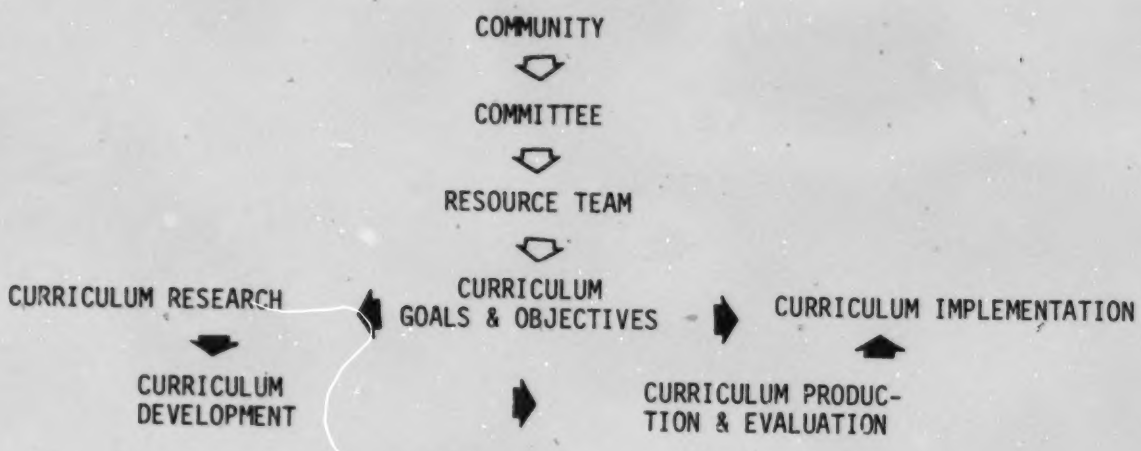
The curriculum development process, identified in the chart, includes community input on every major level. The chart illustrates how extensive community involvement can be.

For the purpose of a legal education and information program, the community input and curriculum development process can be shortened. The community committee is essential as it enables the community to be more functional in its role in curriculum development. In fact, the committee is an advisory body: it comments on the direction, the production and the acceptability of the curriculum products for the community. The technical staff and the resource people, such as the educational advisory board, can be grouped together. The resource people are the "experts" in assembling the cultural, legal and educational information into a coherent curriculum. These people act on the advice of the community committee and devise the appropriate curriculum product. The community committee can, as a result, guide the resource team in the development of curriculum; assess the resource team's curriculum product; provide community feedback, offer further advice or approve the curriculum product.

The resource team would consist of "experts" in the fields of law, education and the native culture. The team would also include other technical staff experienced in curriculum development. The resource team would be ready to assist the committee in stage one: in defining the goals and objectives; priorizing the curriculum design; and determining the curriculum content. Community workshops would be set up by the resource team with the support and guidance of the community committee during stage two: in maintaining community awareness of the program; recruiting other resource people to aid in the program implementation; and in obtaining information on program needs and demands from the community. The resource team would put the information gathered from the workshops into curriculum form and make the curriculum product ready for testing with a selected group from the community. The committee would, from time to time, have input into this development stage, stage three, and adjust the curriculum product as is necessary. The pilot test, in stage four, would enable the resource team and the committee to assess the curriculum and make the required alterations. Stage five, would be centered on the preparation of the curriculum product for further testing. The testing would be in an actual classroom setting and under "normal" program situations. This is different from the pilot test in that the field tests are less selective, in terms of the target group, and are under more typical circumstances, with regard to a program setting. After the field tests, in stage six, the committee and resource group again evaluates and adjusts the curriculum product for dissemination and program implementation. This is the final stage, stage seven, in the curriculum development process. The materials and curriculum are measured for their effectiveness and practicability.

The shortened version of the community input process does not detract from community involvement in the curriculum development. Indeed, the entire curriculum process is compressed into seven stages as compared to the twelve outlined in the Chart. The major features of the chart are adhered to: that is the community committee, the community workshops, the pilot test, the field tests, and the continual committee involvement in the revisions of the curriculum products.

A CURRICULUM MANAGEMENT PLAN To complete the curriculum development process, a management plan is set out. The management plan identifies the various stages of curriculum development and the importance of the committee. Lane sets out the management plan as follows:(48)



This plan continues the influence of the community and maintains the localization of the program. The management plan aids in the maturation of the curriculum and its products, and provides the program with a cohesiveness.

MATERIALS The materials are relegated to the last section, since they are the last component of the curriculum development process. As illustrated in the previous curriculum areas, the preparation of the materials cannot be completed without community input. This is particularly true with native communities. In order to ensure that the materials reflect the cultural views, legal issues and educational demands of the community, the community must have input into the material products. The materials usually are prepared by a technical staff or resource team but final approval of the materials must come from the community or its representatives.

Several matters must be borne in mind, during the preparation of the materials:

(1) the materials must present the legal issues realistically, acknowledging conflict and controversy in the law and culture. The materials must be relevant to the native learner, raising the practical problems of the law and the legal system.(49)

(2) the materials must be free from bias or prejudice.

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48. Ibid., pp. 16-17.

49. American Bar Association. Special Committee on Youth Education For Citizenship. "Guidelines for Curriculum and Materials Development". Law-Related Education in America: Guidelines for the Future. (St. Paul, Minnesota: West Publishing Company, 1975), p.36.

These are called "the sins of commission" by persons involved with material preparation. The materials must be aware of the words used and the meaning of the words. This is especially important if the materials are prepared by a non-native staff. The committee must pay special attention to the accuracy of words, values and so forth. Also, the materials must recognize the cultural worth of different cultural and linguistic people. It must be noted that each cultural group is as important and as equal as others.(50)

(3) the materials must interest and motivate the learner. The materials, therefore, must contain information on both culture and the law. Also, the "properties" of the materials that is, print size, format, content and variation -- all have an impact on the reader-learner.(51)

As emphasized throughout this work, the materials must adhere to the community goals and objectives. The community or its representatives must decide whether or not new materials will be created, or available materials and their supplement, will be used. This decision must be made at the beginning of the curriculum development stage in order to establish the material guidelines. Many questions should be raised and comments examined as to the value of new materials or old materials. For example, can curriculum materials be adapted from one region or community to another? Can the materials account for the cultural differences? Is it easier to accommodate existing materials to the program? Can supplementary materials adequately fill the gaps, as to local issues and requirements, and complement existing materials? Whatever the conclusion, program planners must be aware of the long-term and short-term effects of material selection or material development.

There are many highly developed materials on the market. In terms of non-native materials, there are three samples discussed below.

(1) Law In A Free Society. The Law in a Free Society Project publishes a series of materials including: a casebook for teachers and students; lesson plans; a curriculum; and a guide for teacher education. The materials focus on the concepts of justice, responsibility and authority, to name a few. In each of these materials, the principle of what is just or fair is explored and encouraged. These materials stress what the individual learner considers fair or just. They enable the learner to understand the realities of decision-making, the reasons for making laws and the fairness of those laws. The cases, exemplifying the concept,

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50. Paul Robinson. After Survival: A Teacher's Guide to Canadian Resources (Toronto, Ontario: Peter Martin Associates, Limited, 1977), pp. 10-12.

51. Loc. cit.

can be sophisticated or simple depending on the learner. As well the materials are free from legal jargon and attempt to demystify the law.(52)

(2) In Pursuit of Justice. The author, Frederick E. Jarman, centers on nine major topics ranging from capital punishment, women's rights, organized crime, prison reform and law enforcement. Jarman presents as many sides to these issues as possible to encourage discussion. Illustrations, graphs, cartoons, newspaper articles, cases, gallup polls: all of these methods are used to vary the material and to bring to the learner another viewpoint on the issue. The learner is both entertained and informed. The controversial nature of the material enables the learner to debate, discuss and put forth comments on some of the legal issues confronting Canadian society.(53)

(3) Legal Education Casebook I & II. The British Columbia Legal Services Commission has produced two casebooks on law for high school students. Casebooks I & II emphasize the case method of learning, using cases to develop students' skills and understanding of the law. The cases are supplemented with support notes for teachers, a series of questions for the students and documents relative to the cases. The cases outlined in both casebooks range from consumer law to family law, criminal law, labour law, human rights and so forth. This approach involves the student, encourages role-playing and motivates the student to discuss larger and more general issues resulting from the case. The law-learning, in this method, becomes the responsibility of the student. The teacher's role is less dominant and more as a facilitator/resource person.(54)

In each of the sample materials, the questions of law are geared towards a school audience. The target group chosen for the legal education and information program must be taken into account. The materials may have to be adjusted to meet the needs of the learner. For example, the learner needs of an adult target group will be different from the needs of a school-aged group.

The interest features of the materials selected are the approaches used in teaching the law. The Law in the Free Society series utilizes the common-sense approach to the law: that is, it concentrates on the simplification of concepts such as justice, authority and responsibility. The just or fair resolution of disputes speaks to the very issues of a legal system and the

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52. Law in a Free Society. On Justice; On Responsibility; On Authority (Santa Monica, California: The Law in a Free Society Project, 1972).

53. Frederick E. Jarman. In Pursuit of Justice (Toronto, Ontario: Wiley Publishers of Canada, 1976).

54. Michael Sharzer and Judith Williamson. Legal Education Casebook (Vancouver, British Columbia: Legal Services Commission, 1976).

Laurie Smith. Legal Education Casebook II (Vancouver, British Columbia: Legal Services Commission, 1977).

understanding of laws. In Pursuit of Justice reasons and analyzes the law in terms of contemporary issues. The variety of opinions and facts urge the reader to question and resolve legal issues on a braod base of information. This approach allows the learner to understand the legal problem, acknowledge conflict in the application of laws to situations and realize the element of change in laws. The Legal Education Casebooks, published by the British Columbia Legal Services Commission, view the teaching of law from another perspective. The main focus is on the learner and her or his role in the simulation of case law: role-playing the case, identifying the issues and completing a step-by-step analysis of the facts and the law.

The native materials reflect the bicultural nature of legal education programs. Three sets of materials are chosen to best illustrate the teaching of law to native learners:

(1) The Law of the People: A Bicultural Appraoch to Legal Education for Navajo Students. These materials cover four separate units: consumer education, the development of a Navajo legal system, law and the family, and law and the community. In each of the units attention is given to the contrasting systems governing the Navajo people: the Navajo customary ways and the Anglo-American laws. The materials lead the learner through the traditional and formal law systems. The volume concerned with the development of a Navajo legal system is most interesting. It focuses on six issues: the evolution of the law on the reservation; bad conduct and the legal process; tribal courts; custom, courts and the Navajos; Navajo torts; and the Navajo legal vocabulary. The materials continually distinguish between Navajo custom and the legal process.(55)

(2) You Have The Right: An Introduction To The Justice System of Rural Alaska. The author, Evan McKenzie, gives an overview of the justice system as it affects the people of rural Alaska. It discusses the basic concepts and nature of the law; reviews the court structure; distinguishes between criminal and civil law; and uses cases to show how the courts work from the client's viewpoint, emphasizing the rules and procedures. The material gives a short history of Bush Justice since 1960 and describes the role of village councils in the justice scheme, as alternatives to the court system. The case examples used reflect the problems of the remote communities and how they deal with the legal process.(56)

(3) Many Laws. The material is written in story fashion, with the grandfather being the main character and provider of information. The grandfather talks to his grandson about the Indian traditions before the arrival of the non-Indian settlers and the changes in the Indian ways from that time on to the present. The role of the elder is significant throughout this work. The grandfather

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55. Vincenti, et al. The Law of the People: A Bicultural Approach to Legal Education for Navajo Students, 4 vols.

56. Evan McKenzie. You Have The Right: An Introduction to the Justice System of Rural Alaska (Anchorage, Alaska: The Alaskan Federation of Natives, Inc., 1976).

> teaches the grandson, in conversation, the ways of the Indian and non-Indian. The grandfather talks of laws and how they have affected the Indian people. Some topics chosen by the grandfather are: the laws concerning liquor; criminal offences; and family law. The style of information is simple and yet, very impressive.(57)

The approaches described in the three sets of materials above demonstrate the options available to program planners of legal education and information programs for native people. The first set of materials works through the traditional customs and law ways and relates them to the more formal legal system. Culture plays a large role in these materials and is the basis of the law-learning exercise. The second set examines the law in a more remote and northern environment. It refers to Bush Justice and explains how it is different from the urban legal process. This material brings the law from a northern perspective, illustrating the adjustments made between the traditional law ways and the urban legal system. Lastly, Many Laws puts the legal information in a traditional setting. This material combines the law, the culture and tradition into a totally familiar native format. The story-telling method is invaluable in relaying the law to the native learner. The symbolic use of the grandfather is most important as it reinforces the cultural learning styles of native people.

The materials must be a functional part of the curriculum and overall program design. As a result, the program planners must look to all relevant materials to determine whether they can be adapted or whether new materials must be produced. The materials discussed in this work are only a few of the curriculum materials available in Canada and the United States of America. The materials are used to facilitate the program planners, to assist them in identifying the needs and demands of the native community and native learners. Additional sources of materials must be assessed. These materials have been selected to demonstrate approaches and formats for assembling legal, cultural and education information.

Each community must look to materials which speak to their particular situation and circumstance. The choice of materials must be within the community's control. Community-modeled curriculum and materials are paramour to a successful legal education and information program.

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57. Christine Daniels and Ron Christiansen. Many Laws (Alberta: Metis Association of Alberta, 1970).

CONCLUSION

A legal education and information program for native people must be developed in a comprehensive manner. A piecemeal approach will not work. In particular, five components must appear in a program oriented towards native people.

(1) The program must have a strong commitment from the community as well as very real community control on the development, design and implementation of the program. Community input is paramount.

(2) The law must be taught in a cultural atmosphere. Traditional laws and customs must be incorporated into the program. The law learned must be important to the community and native learners alike. The legal content cannot be abstract, or without some degree of familiarity to the community and native learner.

(3) The educational factors must accommodate the cultural learning styles of the native learners and the teachers instructing the program must be sensitive to their cultural needs and demands. The teachers should have training in the three fields of law, education and culture. The educational designs and methods must be adapted to the native learners.

(4) The curriculum and materials must be specific to the native learners and the community and adhere to the community interests and issues. The materials must be selected for their long-term and short-term value, and must be motivating to the native learners.

(5) The program structure must be flexible and open to change. The community will alter its range and scope from time to time to meet additional strains and stresses. Adjustments in the program format, the presentation of information and so forth should be contemplated and easily accomplished.

It is hoped this work will provide a set of guidelines for persons and organizations involved in law-related education programs for native people. The major concern of this work is that the program meets the requirements of the community and learner. Comments on law, education and culture are to be considered with this end in mind.

ANNOTATED BIBLIOGRAPHY

compiled by:

Laurie J. Smith

NOTES ON ORGANIZATION

The bibliography is divided into three chapters. These chapters coincide with the main topics discussed in the body of the work: "A Review of the Literature".

Each chapter is further sub-divided into more specific headings. The relevant entries in each of the sub-chapters appear in alphabetical order. Canadian materials are marked with an asterisk to distinguish them from American sources. Materials pertaining to more than one sub-chapter in the bibliography are cross-referenced between sections. The cross-references are unannotated but refer the reader, by number, to the annotated entry.

A subject index appears at the end of the bibliography. The reader is referred to the annotated entry by number and word key. The Canadian materials are, again, marked with an asterisk.

L.J. Smith

CULTURAL COLLISION

A. HISTORY AND CULTURE

1.* Berger, T.R. Northern Frontier Northern Homeland: The Report of the Mackenzie Valley Pipeline Inquiry. Vol. 1. Ottawa: Minister of Supply and Services Canada, 1977, pp. 213.

A report on the social, economic and environmental changes in the Mackenzie Valley: the consequences of a proposed gas pipeline. Gives the reader a condensed history of the cultural impact of the white man on the native people. Discusses formal education and the native people; the present use of native language; and the importance of land in the native person's identity. Chapter 8 describes the "cultural impact" and chapter 11 "native claims". Education, native cultural content and native control are discussed specifically in the final two chapters.

2.* Honigmann, J.J. and Honigmann, I. Arctic Townsmen: Ethnic Backgrounds and Modernization. See: 23.

3.* McLean, H. Indians: An Introduction to Canada's Native People. Ottawa: Canadian Association in Support of the Native People, 1976, pp. 81.

The author describes the lifestyle, languages, politics, religion and marriage patterns of certain native groups: the Hurons; the Blackfoot; the Objibwa; the Haida, and the Inuit. The impact of the white man on the Indian culture and lifestyle is discussed in "Contact with the White Man", pages 59-64. The unique characteristics of the Metis, their difficulties with Indian and white groups, and their culture and lifestyle are discussed in "The Metis", pages 65-73. The present situation of Status and Non-Status Indians and the Inuit is discussed in "Contemporary Issues", pages 75-81. A very thorough but simply written book, with illustrations and maps.

4.* Teacher Handbook. Resource Materials Pertaining to Indian, Inuit and Metis Cultures. Manitoba Department of Education, Native Education Branch and School Library Services Branch, circa 1976, pp. 94.

A bibliography of materials on the culture of the Assiniboine, Caribou, Eskimo, Chipewyan, Cree, Dakota, Metis and Ojibwa peoples from the early 1800s to present. Lists bibliographies consulted.

5.* Valentine, V.F. and Vallee, F.G. (eds.). Eskimo of the Canadian Arctic. Toronto: McClelland and Stewart Limited, 1968, pp. 241.

A series of technical articles written mostly by anthropologists on: linguistics; traditional beliefs; the differences between laws and customs; and the education system in the Western Arctic. Articles of interest are:

"Spatial Concepts in the Eskimo Language", 1966, by R.C. Gagne.
"Religious Rituals and Beliefs", 1926, by Rt. Rev. A. Turguetil, O.M.I.
"Caribou Eskimo Legal Concepts", 1956, by G. van den Steenhoven.
"The Educational System in the Western Arctic", 1966, by G.S. Brant and C.W. Hobart.

B. RURAL JUSTICE

6. Alaska Bar Association and Alaska State Judicial Council Basics Task Force. Village Life on Trial: Corrections in the Bush. See: 62.

7. Conn, S. Advocacy in the Bush: New Directions and Alternatives. See: 63.

8. Conn, S. An Action Plan for Village Justice. Second Draft. See: 64.

9. Conn, S. Comparative Analysis of the ABA Standards in right of the Attendant Problems in Bringing Justice to Rural Alaska Natives. See: 65.

10. Conn, S. and Hippler, A.E. Bush Justice: Sentencing Reforms, A Role for the Council. See: 66.

11. Conn, S. and Hippler, A.E. "Conciliation and Arbitration in the Native Village and the Urban Ghetto". See: 67.

12. Conn, S. and Hippler, A.E. Final Report - Emmonak Conciliation Board: A Model for a New Legal Process for Small Villages in Alaska. See: 69.

13. Conn S. and Hippler, A.E. Notes on Representation of Native Clients. Fairbanks: University of Alaska, Institute for Social, Economic and Government Research, 1972, pp. 10.

Notes on the native people's dissatisfaction with the adversary system. Native people have retained their traditional sub-legal conciliatory systems for minor criminal and civil disputes. The work discusses native people's confusion between feelings of guilt and evidentiary guilt; the native person's inability to understand the right to remain silent; the legal practitioner's problem of obtaining an accurate case history, particularly with a client who has been through the conciliatory process and who must go to court. Guidelines for legal practitioners dealing with native clients are included along with a format for client interviews.

14. Conn, S. and Hippler, A.E. "Paralegals in the Bush". See: 71.

15. Conn, S. and Hippler, A.E. "Wedding U.S. Laws to Eskimo Tradition". Juris Doctor (April 1974): 42-44.

A hypothetical legal problem is used to illustrate the inadequacies of the magistrate system. The problem arises between neighbours. The offended neighbour would have used the conciliation process, as in the old Eskimo village council system of justice, to resolve the problem. The magistrate system would not work. The neighbour problem does not need the punishment force of the magistrate system. The case demonstrates the alternative of the conciliation process. It allows Eskimo tradition to continue in terms of community resolution of misbehavior, where the problem is a "misdemeanor".

16. Hippler, A.E. and Conn, S. "Northern Eskimo Law Ways and Their Relationship to Contemporary Problems of 'Bush Justice'." See: 72.

17. Hippler, A.E. and Conn, S. "The Changing Legal Culture of the North Alaska Eskimo." See: 73.

18. Institute for Social, Economic and Government Research. An Introduction to the Study of Formal and Informal Dispositions of Deviants in Ethnic Villages. Fairbanks: University of Alaska, 1975, pp. 12.
A study of the justice system in several rural Eskimo areas is provided. The justice needs of the Yuit, Inuit and Siberian Eskimos are identified.

19.* Morrow, W.G. "Riding the Circuit in the Arctic." Judicature 58 (December 1974): 237-241.

Justice Morrow outlines the problems he faced in bringing justice to the North. He describes the workings of the circuit court, the difficulties of applying non-native laws to native people, and the distinction between the non-native legal system and the traditional customs. Justice Morrow speaks of the problems in communication with native people, the language barrier, and the determinations of bail, sentencing and appeals.

C. CULTURE AND EDUCATION

20.* Adams, H. Prison of Grass: Canada from the Native Point of View. Trent Native Series No. 1. Toronto: General Publishing, 1975, pp. 238.

An historical account of a developing Canada from a native perspective. Commences with the Indian civilization prior to contact with the white man. Discusses how colonization affected the Indian lifestyle. Describes Indian and Metis resistance to imperialism and the plight of native people in white supremacy Canada. Chapters dealing with the native people's reaction to the education system are "Schooling the Redman", and "The Struggle for Liberation". An articulate voice of the experience of native people.

21.* Berger, T.R. Northern Frontier Northern Homeland: The Report of the Mackenzie Valley Pipeline Inquiry. See: 1.

22.* Daniels, Christine and Christiansen, Ron. Many Laws. Alberta: Metis Association, 1970.

A story of how an Indian family's traditional life is altered by an oil spill. The father's hunting and fishing activities end. Eddy, the oldest son has to move to the city to find work. The grandfather talks with Eddy about the old ways and how things changed after the white man came, the history of the white man, the white man's laws and how they affected Indians. The grandfather explains liquor laws, theft, marriage laws, criminal offences and the court system. This book takes the Indian approach - story telling by a respected elder. Large, colorful illustrations. Simple language.

23.* Honigmann, J. J. and Honigmann, I. Arctic Townsmen: Ethnic Backgrounds and Modernization. Ottawa: Paul University Canadian Research Centre for Anthropology, 1970, pp. 303.

A field study done in Inuvik which describes the social structure of the area, its culture, and the behavior and development of its children. Native children's experience with school is discussed in the chapters "Going to School" and "Adaptation to School". Education policy, organization of the schools, attitudes of parents and non-native children's adaptation to school are also discussed.

24. Kleinfeld, J. "Effective Teachers of Eskimo and Indian Students: Teaching Alaskan Children". See: 93.

25.* O'Malley, M. The Past and Future Land: An Account of the Berger Inquiry into the Mackenzie Valley Pipeline. See: 95.

26.* Parnell, T. Barriers to Education. See: 96.

27.* Valentine, V. F. and Vallee, F. G. (eds.). Eskimo of the Canadian Arctic. See: 5.

28. Vicenti, D.; Jimson, L.B.; Conn, S. and Kellogg, M. J. L. The Law of the People: A Bicultural Approach to Legal Education for Navajo Students, vol. II, "The Development of a Navajo Legal System". See: 130.

29. Vicenti, D.; Jimson, L.B.; Conn, S. and Kellogg, M. J. L. The Law of the People: A Bicultural Approach to Legal Education for Navajo Students, vol. III, "Law and the Family". See: 129.

30.* Waubageshig, (ed.). The Only Good Indian: Essays by Canadian Indians. Revised Edition. Don Mills, Ontario: New Press, 1974, pp. 214.

A collection of poems and articles on Indian attitudes towards education. Some of the entries are: "Vocation or Identity: the Dilemma of Indian Youth", by M. Castello; "To Be Young and Indian", by L. Yellowbird; "Racism and Indian Cultural Adaptations", by Dr. L. de Montigny; "Native Alliance for Red Power", by H. Jack; "My Very Good Friends...", by Chief D. George; "Indian Control of Indian Education", by the National Indian Brotherhood.

MANY LAWS

A. LEGAL CONCEPTS — NATIVE

31. Barthel, F.; McDearman, P. and Conn, S. Alaska Natives and the Law: A Workbook in Legal Education for Students in Village Schools. See: 109.

32. Barthel, F.; McDearman, P. and Conn, S. Alaska Natives and the Law: A Workbook in Legal Education for Teachers in Village Schools. See: 110.

33.* Daniels, Christine and Christiansen, Ron. Many Laws. See: 22.

34.* Gerger, S. Court Workers Training and Information Manual. 1st Edition. Yellowknife: Northwest Territories Native Courtworkers Association, 1976, pp. 180.

A legal procedures manual with chapters on: legal and social services, the Canadian court system, courtroom etiquette, criminal law, family law, and other areas of law including aboriginal and treaty rights, criminal injuries compensation, labour law, fish and wildlife law, and liquor laws. Each chapter is a thorough discussion of the law. Legal forms such as Warrant for Arrest, Appearance Notice and Petition for Divorce, are included. Language is simple. Diagrams are used to further simplify the information.

35.* Inuit Tapirisat of Canada. Inuit and the Law. Ottawa: Inuit Tapirisat of Canada, 1974, pp. 118.

Written in English and Inuktitut. Discusses the theory of government, the organization of the Canadian government and the administration of justice. Covers basic legal concepts in the following areas of law: property law, social insurance, change of name, licences and permits, liquor, child welfare and housing. Diagrams, maps and a glossary of terms are included. Small print makes reading difficult.

36. National Clearinghouse for Legal Services. Clearinghouse Review. See: 54.

37.* Target Canada: Research and Projection Group. Native Land Claims in British Columbia: An Introduction. See: 124.

38. Vicenti, D.; Jimson, L. B.; Conn, S. and Kellogg, M. J. L. The Law of the People: A Bicultural Approach to Legal Education for Navajo Students, vol. I, "Consumer Education". See: 127.

39. Vicenti, D.; Jimson, L. B.; Conn, S. and Kellogg, M. J. L. The Law of the People: A Bicultural Approach to Legal Education for Navajo Students, vol. IV, "Law and Community Life". See: 128.

40. Vicenti, D.; Jimson, L. B.; Conn, S. and Kellogg, M. J. L. The Law of the People: A Bicultural Approach to Legal Education for Navajo Students, vol. III, "Law and the Family". See: 129.

B. LEGAL CONCEPTS — OTHER

41.* Canadian Criminology and Corrections Association. Canadian Material Specifically Developed for Public Education in the Law. Ottawa: Self-Counsel Press, 1973.

A 1973 listing of books, Self-Counsel press booklets and pamphlets on various aspects of the law. Prices included.

42.* Fitzgerald, P. This Law of Ours. Scarborough, Ontario: Prentice-Hall of Canada Ltd., 1977, pp. 365.

A beginner's law text suitable for secondary school students or adults. Discusses fundamental law questions such as why we have laws. Comprehensive sections on human rights and freedoms. Covers law reform as well as what the law is. Uses problems drawn from a variety of sources, for example: Animal Farm by George Orwell, "Action Line" from the Ottawa Citizen. Questions follow each concept. A study guide and diagrams appear in the text.

43.* Gerger, S. Court Workers Training and Information Manual. 1st Edition. See: 34.

44.* Gibson, D. L., ed. Law Pamphlet #2: Bibliography. Kanata, Ontario: Earl of March Secondary School, 1973, pp. 40.

A bibliography of Canadian law texts, self-counsel press pamphlets, periodicals, dictionaries and reporting services. Referenced according to legal topics. Annotations provided.

45. Gibson, W.M. Lessons in Conflict: Legal Education Materials for Secondary Schools. Boston: Law in the Social Studies Project, Lincoln Filene Centre for Citizenship and Public Affairs, Tufts University, 1971.

A collection of legal materials for schools. Covers the origins of law, substantive law, law reform, and overviews the legal system. Materials could be used as an outline for developing Canadian materials.

46.* Goldsmith-Kasinsky, R. (ed.). Youth and the Law. Vancouver: Legal Services Commission, B.C. Civil Liberties Association and Public Schools Legal Education Project, 1976, pp. 48.

A pamphlet for young people containing general information on legal issues relevant to youth. Some issues covered are: legal status of students, protection and leaving home, police contact, contracts. Includes a directory of resources for young people in the Vancouver and Lower Mainland areas of British Columbia.

47.* Harvison, P. (ed.). Legal Education for Penitentiary Inmates. Halifax, Nova Scotia: Faculty of Law, Dalhousie University, 1975, pp. 68.

Basic legal information written by law students for and with the assistance of penitentiary inmates. Geared towards the particular concerns of inmates. For example, topics covered are: parole, sentence calculations, transfers, warden's court, medical-dental treatment, tort law, and criminal law.

48.* Jarman, F. E. In Pursuit of Justice. Toronto, Ontario: Wiley Publishers of Canada Ltd., 1976, pp. 287.

A high school law text covering controversial topics such as capital punishment, euthanasia, women's rights, abortion, organized crime, drugs, gun control, prison reform and law enforcement. Both sides of each issue are discussed. Frequent use of illustrations, graphs, gallup polls, cartoons and photographs.

49.* Law and the Student. Saskatchewan Community Legal Services Commission: circa 1970, pp. 35.

Discusses the legal rights and obligations of students under such headings as the law relating to juveniles, penalties and practical questions, "What to do, when?" Basic, general, legal information. Short and concise. Illustrations and charts make reading simpler.

50. Law in a Free Society Project. "Issues Concerning Fair Procedures for Making Decisions". On Justice. Part II. Law in a Free Society Series. Santa Monica: Law in a Free Society Project, 1972, pp. 72.

Discusses the fairness of procedures used in law enforcement, in adjudication, in the administration of justice and in legislation for decision making. Questions, examples and case law are used to simplify and explain the issues of fair justice.

51. Law in a Free Society Project. "Issues Concerning the Correction of Wrongs or Injuries". On Justice. Part III. Law in a Free Society Series. Santa Monica: Law in a Free Society Project, 1972, pp. 44.

Explores the question, "What is a fair means of corrective justice" through discussions on broken agreements and harms, penalties and punishments, alternatives to punishment and children's ideas on punishment. Uses questions, examples and case law to simplify and explain the issues. An excellent introduction to the concept of corrections.

52. Law in a Free Society Project. On Privacy. Law in a Free Society Series. Santa Monica: Law in a Free Society Project, 1972.

A casebook, a curriculum, lesson plans and a teacher's guide for the teacher of privacy law. The concept of privacy is developed for both teacher and student. Uses pictures and some examples from the animal world. Time frame - one to two class periods.

53.* Liddiard, K. (ed.). Inventory of Police-Related Criminal Justice Material. Winnipeg: Manitoba Police Commission, 1975, pp. 56.

A listing of police-related criminal justice materials categorized under the following headings: Introduction; Administration of Criminal Justice; Law; Criminal Investigation; Crime and Criminals; and Police-general works, administration training, roles, functions and duties. Identifies resources used in police training. A separate section discusses police contact with native people. Includes audio-visual aids, periodicals, and a bibliography of legal materials for non-law libraries.

54. National Clearinghouse for Legal Services. Clearinghouse Review, 10: 1-7 and 9: 10-12.

A review of legal information relating to poverty law and minority groups. Indian law, with case law developments, is identified as a separate section. Includes a bibliography of recent articles and books.

55. National Street Law Institute. Street Law: A Course in Practical Law. St. Paul, Minnesota: West Publishing Co., 1975, pp. 282.

A practical law course for the lay person. Contains all the basic information an average person may want to know about the law. Its seven chapters are: Introduction to Law, Criminal Law, Consumer Law, Family Law, Housing, Individual Rights and Environmental Rights. Each chapter discusses the law in depth using simple language, questions, problems and examples. A glossary explains terms used.

56. National Street Law Institute. Street Law: A Course in the Law of Corrections: A Teacher's Manual. St. Paul, Minnesota: West Publishing Co., 1976, pp. 79.

A basic course in the law of corrections. Topics covered are: Legal Research, Sentencing, Probation, Post Conviction Relief, Rights of Prisoners, Due Process in Prison, Alternative Remedies to Enforce Prisoners' Rights, Parole and Corrections Law, Mock Trials. Problems are used to promote analysis of attitude and stimulate discussion of law reform. Simulation classroom exercises

56. Cont.

are suggested. For example: playing out the conflicting roles of neighbourhood homeowners and halfway house residents involved in establishing a new halfway house. Appendix B lists audio-visual aids.

57.* Parkdale Community Legal Services. All in the Family. Toronto: Parkdale Community Legal Services, circa 1970, pp. 25.

Material for the lay person on family relationships and disputes. Case examples are used throughout to direct the reader to the legal issues involved. Answers are provided. Language is simple. Ontario law.

58. Parkdale Community Legal Services. Consumers' Rights. 2nd Edition. Toronto: Parkdale Community Legal Services, 1976, pp. 28.

A booklet for the lay person on consumer law. Topics covered include contracts, legislation and complaint procedure. Illustrations appear throughout. Language is simple. Ontario law.

59.* Parkdale Community Legal Services and the Parkdale Tenants' Association. Your Rights as a Tenant. 3rd Edition. Toronto: Parkdale Community Legal Services and the Parkdale Tenants' Association, 1976, pp. 55.

A three part booklet for the lay person on landlord/tenant law. The three parts are:
1. "questions every landlord and tenant should be able to answer" (in a question and answer format);
2. the principles behind rent review, the hearings, subsequent orders and penalties; and
3. "how-to's" such as ending a lease, getting repairs and evictions. Ontario law.

60.* Sussman, F. B. The Law in Canada. A Citizen's Introduction. Ottawa, Ontario: Kenlaw Communications Inc., 1976, pp. 144.

A law text for the Canadian citizen. Describes what the law is and how it functions in Canada. Includes a section explaining words and phrases used in the Canadian legal system. Additional resources are listed in an annotated bibliography. Emphasis is on the words and phrases and the bibliography, not on the text. Simply written.

61.* Windsor University Faculty of Law, Community Law Program. A Collection of Cases and Materials for High School Teachers of Law, vol. II. Ontario: Windsor University, 1974.

A casebook for high school teachers of law. Emphasizes tort law and Moot Court. Contains cases of special interest to teachers.

C. RURAL JUSTICE SYSTEMS

62. Alaska Bar Association and Alaska State Judicial Council Basics Task Force. Village Life on Trial: Corrections in the Bush, 1973, pp. 123.

A discussion of village justice and the role of the village council in justice resolution. Outlines the Basics Task Forces' project and personnel. Several attachments describe justice delivery problems in the bush. Some are: Napakiak - A "Fining and Jailing" Council; The Impact of the Bar Association on Bush Justice Activities; The Bar Plan for Bush Justice; Corrections in the Village; Diversion and Emmonak Conciliation Board; Sentencing - A Role for the Council; and Prospective on Small Village Justice Systems.

63. Conn, S. Advocacy in the Bush: New Directions and Alternatives. Fairbanks: University of Alaska, Institute of Social, Economic and Government Research, 1974, pp. 23.

Discusses measures which would help to create more functional systems of justice in Alaskan villages. For example: training villagers as paralegals, staffing public legal agencies in rural areas with attorneys, subsidizing private attorneys to move into rural areas, and providing prepaid legal insurance schemes. The negative aspects of these measures are discussed as well. The overall findings of the second Bush Justice conference, its recommendations, its resolutions and the Minto Recommendations are outlined.

64. Conn, S. An Action Plan for Village Justice. Second draft. Fairbanks: University of Alaska, Institute for Social, Economic and Government Research, 1973, pp. 25.

Outlines a plan for the introduction of a new Bush Justice system to a village. Discusses funding and other means for the system's development. Discusses the myths surrounding the adversary system and reasons for incorporating the new justice system. Appendix I pinpoints the reasons for the ineffectiveness of the adversary system. Appendix II outlines

64. Cont.

the expenditures of the Justice Planning Agency on construction and the police force. Appendix III advocates that community conciliation boards take jurisdiction over petty criminal and civil complaints. Informative, very readable paper.

65. Conn, S. Comparative Analysis of the ABA Standards in Light of the Attendant Problems in Bringing Justice to Rural Alaska Natives. Fairbanks: University of Alaska, Institute for Social, Economic and Government Research, 1974, pp. 46.

Studies the application of American Bar Association standards for criminal justice in rural villages. Ten points are considered: independant counsel, pretrial release, discovery and procedure before trial, guilty pleas, plea bargaining, speedy trial, trial by jury, probation, sentencing, and the role of defense counsel and prosecutors.

66. Conn, S. and Hippler, A. E. Bush Justice: Sentencing Reforms, A Role for the Council. Fairbanks: University of Alaska, Institute for Social, Economic and Government Research, 1974, pp. 14.

Discusses the use of village councils or village chiefs in the magistrate system's sentencing process. Maintains that participation of the village councils would provide additional, relevant information to the magistrate; would act as a further form of sanction, more desirable than a fine or jail sentence, and would allow resocialization to proceed along cultural lines. Provides additional information on how to maintain cultural patterns in the resocialization of village offenders. Suggests reforms.

67. Conn, S. and Hippler, A. E. "Conciliation and Arbitration in the Native Village and the Urban Ghetto". Judicature 58 (December 1974): 229-235.

Describes village councils as the principal forum for disputes. Compares the council justice with the Philadelphia Centre for Dispute Settlement project. Informal resolution of social and legal problems is considered.

68. Conn, S. and Hippler, A.E. Conciliation in the Native Village: An Experiment in Alaska Justice. Fairbanks: University of Alaska, Institute for Social, Economic and Government Research, 1974. pp. 33.

Compares the Philadelphia Centre for Dispute Settlement Project to the workings of a village council on the following points: types of cases heard, style of arbitration used, and concern

68. Cont.

for re-establishing the relationship between disputants. Evaluates both projects. Discusses the Emmonak village council and summarizes disputes resolved by the Emmonak Problem Board. Gives the reader a clear understanding of the conciliation process.

69. Conn, S. and Hippler, A.E. Final Report - Emmonak Conciliation Board: A Model for a New Legal Process for Small Villages in Alaska. Fairbanks: University of Alaska, Institute for Social, Economic and Government Research, 1974, pp. 4.

A discussion of the Emmonak Conciliation Board experiment. Author's findings are summarized.

70. Conn, S. and Hippler, A.E. Notes on Representation of Native Clients. See: 13.

71. Conn, S. and Hippler, A.E. "Paralegals in the Bush." U.C.L.A. - Alaska Law Review 3 (Fall 1973): 85-102.

Discusses the use of paralegals in Alaska as: village council members; state magistrates; village constables; correctional aids; ombudspersons and other village paraprofessionals. Role models for paralegals are described. For example: legal assistant, legal secretary, lay advocate, law office administrator, arbitrator, mediator, ombudsperson. Outlines three guidelines for training paralegals: the paralegals should not be trained if the work does not exist; in the case of native paralegals, culture and historical experience ought to be tied into the training process.

72. Hippler, A. E. and Conn, S. "Northern Eskimo Law Ways and Their Relationship to Contemporary Problems of 'Bush Justice'." Institute of Social, Economic and Government Research Occasional Papers 10 (July 1973): 1-68.

Discusses the Northern Eskimo system of social control and social organization from pre-White man contact, through village council times and later, under the magistrate system. Discusses the need to revert back to a council body for resolution of village disputes, and the need to incorporate some old values and traditions (such as noninterference and avoidance of conflicts) as social control measures. A very informative evaluation of "Bush Justice".

73. Hippler, A. E. and Conn, S. "The Changing Legal Culture of the North Alaska Eskimo". Ethos 32 (1973): 171-188.

Describes the changes of a community, Tauremint, from informal dispute resolution, through the village council system, to the magistrate system of social control. States reasons for the success of village councils and the failure of the magistrate system. Child socialization and personality development in Northern Alaska Eskimo communities are described. A very comprehensive, concise paper.

74. Institute for Social, Economic and Government Research. An Introduction to the Study of Formal and Informal Dispositions of Deviants in Ethnic Villages. See: 18.

75. McKenzie, E. You Have the Right: An Introduction to the Justice System of Rural Alaska. Anchorage: Alaska Federation of Natives, Incorporated, Bush Justice Project, 1976, pp. 37.

An overview of the justice system as it affects rural Alaska. Discusses, in simple terms, the basic concepts of law, the nature of the law, the court structure, juvenile justice, and the distinction between criminal and civil law. Uses case examples to illustrate how the law is supposed to work. Gives a short history of Bush Justice including a description of village councils and other alternatives to the court system. Glossary of terms included.

D. LEGAL SERVICES

76.* Canada Department of Justice. Meetings re: Review of the Northwest Territories Legal Aid and Related Programs. Ottawa: Department of Justice, 1976, pp. 11.

A review of funding applications for legal services in the Northwest Territories. Outlines potential issues for concern. Evaluates existing legal services, and discusses the creation of an advisory committee to review the administration of justice.

77.* Canada Department of Justice. Study and Review of the Northwest Territories Legal Aid and Native Courtworker Programs. Ottawa: Department of Justice, 1976, pp. 3.

Examines, in outline form, the present legal aid, legal services and native courtworkers services in the Northwest Territories. No submissions from northern groups included.

78.* Carter, Roger. Carter Commission Report. Regina: Saskatchewan Legal Aid Committee, 1973, pp. 232.

A report overviewing the delivery of legal aid to the poor in Canada, Minnesota and England. The report's eight chapters are: Different Systems for Delivering Legal Aid to the Poor; A survey of Provincial Legal Aid Systems - Minnesota Public Defender System and the English Legal Aid Scheme; Existing Legal Aid Programs in Saskatchewan; A Review of Various Legal Clinics in Canada and Minnesota; a Summary of Briefs Presented to the Committee; the Need for a Legal Assistance Program in Saskatchewan's North; Conclusions; and Recommendations. Recommendations for northern legal aid schemes are made.

79.* Laushway, L. Inventory of Federal-Provincial Programs and Services for Native People in Relation to the Criminal Justice System, paper for the National Conference on Native Peoples and the Criminal Justice System, Edmonton, Alberta, 1975. Ottawa: Consultation Centre, Ministry of Solicitor-General, 1975.

An outline of federal provincial programs and services developed for native people focusing on the criminal justice system. Some information on funding sources is provided. The programs describe services in the following areas: prevention, diversion, police, courts, institutions, parole and probation. Some discussion is included on the native organizations involved with the criminal justice system.

80.* Rose, I. (ed.). Report and Proceedings of Conference on Legal Aid, 30-31 May, 1 June, 1974. Levis, Quebec: Canada Council on Social Development Law and Social Development Program, 1975, pp. 175.

Part II of the report, "Background Papers", includes the following articles: "Problems in Delivering Legal Services to Native Groups in Remote Areas" by H. Savage; "Evaluation: Needs and Techniques" by L. Brickman; "Preventive Legal Education for Low Income Groups" by R. W. Ianni; and "Law Reform in a Legal Setting" by A. Rogers. Several other articles written by persons with practical experience in the field also appear. A bibliography is included.

NEW EDUCATION

A. PRINCIPALS OF LEARNING

81. Centre for Law and Education. Bilingual-Bicultural Education: A Handbook for Attorneys and Community Workers. See: 91.

82.* Federal-Provincial Task Force on Training for Alcohol and Drug Services. Historical Aspects and Current Developments. Core Knowledge for Alcohol and Drug Services. Package No. 5. Ottawa: National Health and Welfare, 1976.

Outlines a trainer's package. Emphasizes the need to discuss past history and attitudes towards alcohol and drug use. Describes new and innovative training methods.

83.* Kirkness, V. J. "Programs for Native People by Native People, A Native Perspective". Education Canada (Winter 1976): 32-35.

A paper discussing native control of education programs; the use of traditional native patterns of learning in education programs; the philosophy and curriculum objectives for native education programs. A valuable description of traditional learning patterns.

84. Postman, N. and Weingartner, C. Teaching as a Subversive Activity. New York: Dell Publishing Co., 1969, pp. 219.

Discusses how education, as a process, can be effective and relevant. Stresses new theories, practical concepts and adaptability to change. Some topics discussed are: the role of schools in society; the concept of the classroom as a learning environment; "we learn what we do"; how learners increase their competence as learners; teacher attitudes in the classroom; relevance in curriculum; "What is worth knowing?" perceptual differences in students and teachers; languaging; games as a teaching method. Complex reading in some areas but essential background information on education.

85. Probert, W. "Law Through the Looking Glass of Language and Communicative Behavior." Journal of Legal Education 20, 3 (1968): 253-277.

Discusses, in complex terms, the following learning variables as they relate to legal education: the limits of semantics, language and communication, implications for legal theory, communication situations and their dynamics, variables in litigation, lawyer-client variables, social situations, trends.

86. University of Toledo. "Symposium: Disadvantaged Students and Legal Education - Programs for Affirmative Action." University of Toledo Law Review 2 and 3 (Spring and Summer 1970): pp. 277.

A series of articles on legal education. Two of the articles are "Communication Skills in Legal Materials" by P. Diggs, and "Selected Bibliography: Minority Group Participation in the Legal Profession" by C. Wheat. Learning theories, including the Fundamental Educational Hypothesis, are discussed in Part II.

B. CULTURAL INFLUENCES

87.* Adams, H. Prison of Grass: Canada from the Native Point of View. See: 20.

88.* Alberta University Boreal Institute, Nineteenth Alaska Science Conference. Proceedings... Symposium on the Educational Process and Social Change in a Special Environment: 28-30 August 1968. Occasional Publication No. 4. Whitehorse, Yukon: Alberta University Boreal Institute, 1968.

Four papers on language, curricula, teacher training and education of northern people in Canada. Introduction by G. K. Gooderham.

89.* Berger, T. R. Northern Frontier Northern Homeland: The Report of The MacKenzie Valley Pipeline Inquiry, vol. I. See: 1.

90.* Brooks, I. A. Native Education in Canada and the United States: A Bibliography. Calgary: University of Calgary, Indian Student University Program Services, the Office of Educational Development, 1976.

A comprehensive bibliography. No annotations. Part three, Curriculum and Instruction, lists materials on cross cultural education, teachers of native children and the teaching of native children.

91. Centre for Law and Education. Bilingual-Bicultural Education: A Handbook for Attorneys and Community Workers. Cambridge, Massachusetts: Centre for Law and Education, 1975, pp. 345.

Defines what bilingual-bicultural education is. Discusses why culturally different students have difficulty adjusting to white, middle-class education systems. Lists a number of incompatibilities such as poverty, culture, language, mobility and social perceptions. Outlines caselaw and statutes. American experiences only.

92.* Kirkness, V. J. "Programs for Native People by Native People, a Native Perspective." See: 83.

93. Kleinfeld, J. "Effective Teachers of Eskimo and Indian Students. Teaching Alaskan Children." School Review (February 1975): 301-342.

A discussion of the psychological characteristics which make teachers more or less effective when teaching Eskimo and Athabascan Indian students. Maintains western teachers' methods of praise and motivation are ineffective with Eskimo and Indian students. Teacher characteristics which Eskimo and Indian students respond to are discussed in the following framework: personal warmth versus professional distance, active demandingness versus passive understanding. Recommends methods for increased effectiveness.

94.* McDowell, M. E. Diagnosis of Behaviour of Eskimo Students during Prevocational Training. Ottawa: Vocational Education Section, Territorial and Social Development Branch, Department of Indian and Northern Affairs, 1976, pp. 113.

Very general information on a research project carried out at Churchill Vocational Centre, Fort Churchill, Manitoba. Emphasizes a review of literature on the background of the Eskimo people. Includes material on outsider influences on the Eskimos, the history of education, current conditions and government policy for the 1970s. Explains the author's research process and testing forms.

95.* O'Malley, M. The Past and Future Land: An Account of the Berger Inquiry into the Mackenzie Valley Pipeline. Toronto: Peter Martin Associates Ltd., 1976. pp. 281.

A series of speeches on education by indigenous people of the North. Some of the speakers are: Don Stewart, Dolphus Shee, Chief Andrew Paul, Phillip Blake, Francois Paulette, Gina Blondin and Charles W. Hobart. This book is a powerful expression of the feelings and attitudes of northern people towards schooling and the education system.

96.* Parnell, T. Barriers to Education. Whitehorse: Yukon Association of Non-Status Indians, 1976, pp. 90.

Maintains the low educational achievement of non-status Indians is due to: socioeconomic circumstances such as attitudes within the school system towards Indians, and the health, nutrition and housing of Indian people; cultural differences such as non-acceptance of Indian students, their language and their culture, and the lack of sensitivity on the part of the teachers. Dis-

96. cont.

cusses, in addition, curriclum, funding and the policy of "universality of services". Useful recommendations appear throughout. A valuable paper for teachers.

97.* The Arctic Institute of North America Man in the North Project. Education in the Canadian North. Three Reports 1971-72. Technical Paper. Montreal: Arctic Institute of North America, 1973, pp. 154.

Reports on three program experiments - community guided education, apprentice teachers and southern teachers for the north. Discusses the planning, preparation, implementation, advantages, disadvantages and outcome of each program.

98.* Waubageshig (ed.). The Only Good Indian: Essays by Canadian Indians. See: 30.

C. TEACHER TRAINING

99.* Alberta University Boreal Institute, Nineteenth Alaska Science Conference. Proceedings. See: 88.

100. American Bar Association, Special Committee on Youth Education for Citizenship. Help! What to Do, Where to Go? Working Notes No. 4. See: 133.

101. American Bar Association, Special Committee on Youth Education for Citizenship. Summer Teacher-Training Programs. Chicago: American Bar Association, 1977, pp. 27.

A list of summer teacher training workshops throughout the United States. Each workshop is described in terms of: sponsors, dates, place, number of participants, faculty, grade levels, subject areas, activities, eligibility (who can participate), credit (incentive/motivation), and cost. The range of activities includes lectures, role playing, simulation games, mock trials, and field trips.

102. American Bar Association, Special Committee on Youth Education for Citizenship. Teaching Teachers About Law: A Guide to Law-Related Teacher Education Programs. Working Notes No. 11. Chicago: American Bar Association, 1976, pp. 225.

A series of articles on law-related teacher education programs. Includes an information package for trainers which discusses preliminary considerations in a teacher education program, developing a teacher education program, developing an elementary teacher education program, approaches to teacher education, and following up teacher education programs. Stresses the importance of training for teachers of the law. Discusses a number of teacher education models.

103. Kleinfeld, J. "Effective Teachers of Eskimo and Indian Students. Teaching Alaskan Children." See: 93.

104.* Roy, C. "Training of Trainers Package", a paper for the Federal-Provincial Task Force on Training for Alcohol and Drug Services. Ottawa: National Health and Welfare, 1975.

A training manual which stresses the necessity of training trainers. The availability of training for people working in the alcohol and drug field is discussed. Outlines an eight week workshop for trainers. Topics covered are: communications; basic knowledge of adult education; methods and techniques - small groups; methods and techniques - large groups; program planning and design; program evaluation; the trainer, and training applied to different functional areas of the alcohol/drug field. Each topic is allowed five days of the eight week workshop. The workshop outline could be used as a model format for other training topics.

D. CURRICULUM DEVELOPMENT, METHODS AND MATERIALS

105. American Bar Association, Special Committee on Youth Education for Citizenship. Bibliography of Law-Related Curriculum Materials: Annotated. Working Notes No. 5. Chicago: American Bar Association, 1974.

A collection of materials for use in legal education programs. The bibliography is divided into four parts: Origins and Concepts of Laws, Current Issues, Practical Law and Teaching Law. A useful resource in spite of the American content.

106. American Bar Association, Special Committee on Youth Education for Citizenship. Gaming: An Annotated Catalogue of Law-Related Games and Simulations. Working Notes No. 9. Chicago: American Bar Association, 1975, pp. 31.

An annotated catalogue of games and simulation exercises. Describes each entry in terms of grade level, author, title, distributor, release date, price and number of players. Of particular interest are the entries in part one - Basic Concepts of Law, part two - Current Issues and part three - Teacher Resources. Easily adaptable to Canadian context.

107. American Bar Association, Special Committee on Youth Education for Citizenship. Media: An Annotated Catalogue of Law-Related Audio-Visual Materials. Working Notes No. 8. Chicago: American Bar Association, 1975, pp. 116.

A catalogue of audio-visual educational materials. Of particular interest are the entries in parts one, four and seven: Origins and Concepts of Law, Current Issues and Teaching Law. Materials can be adapted to the Canadian legal context.

108. American Bar Association, Special Committee on Youth Education for Citizenship. Reflections on Law-Related Education. Speeches from Regional Conference on Law-Related Education in Philadelphia, Pennsylvania, May 21-22, 1973. Working Notes No. 3. Chicago: American Bar Association, 1973, pp. 16.

A collection of articles, some of which are "Developing Law-Related Studies: The Roles of Educators and Lawyers" by Earl F. Morris; "Remarks before the Regional Conference on Law-Related Education at Philadelphia" by William M. Power; "The Spirit of Liberty and the Classrooms of Pennsylvania" by John C. Pettinger; "Law-Related Education: What Works and What Doesn't" by Joel F. Henning; "Reflections on Law Studies in the Schools Today" by Isidore Starr. Stressed the need for co-operation between the Bar Association and the Education Department.

109. Barthel, F.; McDearman, P.; and Conn, S. Alaska Natives and the Law: A Workbook in Legal Education for Students in Village Schools. Anchorage: Alaska Legal Services Corporation, 1976, pp. 141.

A draft table of contents for a students' workbook. A law course to be taught in Alaskan village schools. The following units are described: Laws, Criminal Laws, Juvenile Law, Community Law, Consumer Education, Family and the Law. Includes illustrations, cartoons and common problems. Cases to be used are particular to the north and show a mix of traditional ways and Anglo-American legal process. Appears, through the table of contents, that the curriculum materials will be of a practical and informative nature.

110. Barthel, F.; McDearman, P.; and Conn, S. Alaska Natives and the Law: A Workbook in Legal Education for Teachers in Village Schools. Anchorage: Alaska Legal Services Corporation, 1976.

A draft table of contents for a teachers' workbook (See No. 109). Provides more background and a greater variety of cases and resources for the teacher's aid. Includes lesson plans and lesson topics.

111. Conn, S. An Action Plan for Village Justice. Second draft. See: 64.

112.* Crawshaw, P. Raising the Stakes! A Community Drama. Canada Health and Welfare, circa 1977, pp. 50.

A paper concerned with solving the alcohol problem in communities. Discusses encouragement of community involvement by staging a community drama. An excellent alternative to the usual recourse to help from outside the community. Written in an easy reading manner.

113.* Eades, B. and Eades, J. W. The Use of Films for Adult Education in an Indian-Eskimo Community. Social Science Notes No. 3. Ottawa: Northern Science Research Group, Department of Indian Affairs and Northern Development, 1971, pp. 17.

An adult education experiment conducted in an Indian, Eskimo and Metis community in the Mackenzie Delta. Films were shown to audiences in Aklavik. The films were on urban property, Indian and Eskimo life, northern life, communities in other parts of Canada. Also shown were entertainment films and "A Challenge for Change - a Newfoundland Project". Authors observed the impact of the films on the viewers, noting perceptual changes. The use of films for adult education is recommended.

114.* Federal-Provincial Task Force on Training for Alcohol and Drug Services. The Law and Social Policy. Core Knowledge for Alcohol and Drug Services. Package No. 6. Ottawa: National Health and Welfare, 1976.

A training package which stresses methodology. Delivers information on alcohol/drug legislation and social policy. Describes a role playing example. Includes a glossary of terms, a list of sources, and an example of a provincial core knowledge insert. Useful as a training format.

115.* Gibson, D. L. (ed.). Law Pamphlet #1: Methods. Kanata, Ontario: Earl of March Secondary School, circa 1973, pp. 27.

Lists and outlines twenty-nine methods for teaching law. Discusses the objectives of each method and makes suggestions on how they should be introduced and taught. Acknowledges some methods were less successful than others. The list is an invaluable resource for teachers who wish to attempt less traditional methods for teaching law.

116. Gibson, W. M. Lessons in Conflict: Legal Education Materials for Secondary Schools. See: 45.

117.* International Development Education Resource Centre. IDERA Film Catalogue. Vancouver, British Columbia: International Development Education Resource Centre, 1976.

Lists and briefly explains films on native people and the law. Useful information for teachers considering the use of films as an alternative method of instruction.

118.* Johnson, R. Law Course Outline. Frobisher Bay, Northwest Territories: Gordon Robertson Education Center, 1976.

An outline of the contents of a law course. Contents are: What are laws, History of Law, Judicial System, Criminal Law, Respecting the Legal Rights of Others, Legal Aid and Family Law.

119. Lane, Phil, Jr. Curriculum Development: Title IV: Regional Conferences, 1975. Seattle: United Nations of All Tribes Foundation, 1975, pp. 27.

Discusses, from the native perspective, the objectives of curriculum development, the process of developing a curriculum, learning theories and curriculum design. Describes the community input process for curriculum development in detail. An excellent explanation of curriculum development.

120.* Law and Educational Model. Yellowknife: Northwest Territories Department of Education, 1976.

A model for teaching law in the Canadian North. Table of contents only. Provides background on the role of missionaries and the contact of native people with the white man. Considers the British North America Act, the government, statutes, justice. Examples are drawn from contemporary, practical northern experiences.

121.* McGee, R. and Schweitzer, P. Puppetry and the Law: A Curriculum Development Project in Legal Education for Elementary School Level. Vancouver: Legal Services Commission, Public Schools Legal Education Project, 1976.

A teacher's guide describing the use of puppets as a method for teaching law to grades four to eight. Contains an evaluation of the project.

122. National Clearinghouse for Legal Services. Clearinghouse Review.
See: 54.

123.* Robinson, P. After Survival: A Teacher's Guide to Canadian Resources. Toronto: Peter Martin Associates Ltd., 1977, pp. 329.

A practical book for Canadian teachers which discusses curriculum materials and learning methodology. Suggests watching for prejudice and class bias in selection of curriculum materials and explains how layout, design and illustrations aid in detection of bias. Chapters appear on Indian-Inuit-Metis, and the Law.

124.* Target Canada: Research and Projection Group. Native Land Claims in British Columbia: An Introduction. Vancouver: Legal Services Commission, Public Schools Legal Education Project, United Native Nations, 1976, pp. 117.

A teacher's manual which discusses, from a historical perspective, the influence of the white man and Anglo-Canadian Laws on the native people and their land. Describes the McKenna-McBride Commission activities, cut-off lands and other government actions. Very well written. Takes the native point of view.

125.* Teacher Handbook. Resource Materials: Native Peoples of Manitoba. Manitoba Department of Education, Native Education Branch and School Library Services Branch, circa 1976, pp. 94.

A catalogue of teaching resources divided into the following sections: books (fiction, non-fiction, Indian, Metis), pamphlets, kits, slide sets, pictures (study prints and charts), maps, motion pictures, audio discs, teacher resource books, audio tapes, video tapes, periodicals, Eskimo library materials and more. A very complete listing of the various resources.

126. United States Department of the Interior. Law and Order Handbook: Training. Indian Affairs Manual. Washington, D.C.: Division of Law Enforcement Services, 1974.

Discusses constable training of the American Indian. Mandatory training requirements are service at the Indian Police Academy, local in-service training. Information in point form provides little detail.

127. Vicenti, D.; Jimson, L. B.; Conn, S.; and Kellogg, M. J. L. The Law of the People: A bicultural Approach to Legal Education for Navajo Students, vol. I, "Consumer Education". Ramah, New Mexico: Ramah Navajo High School Press, 1972, pp. 100.

Material for teaching law to Navajo high school students. Discusses, in a practical manner, contracts, torts, money management, disputes, and bargaining. Suggests role playing for dramatizing disputes in the classroom. Outlines a model for class participation in community projects. Useful case examples and questions included. Simply written and interesting.

128. Vicenti, D.; Jimson, L. B.; Conn, S. and Kellogg, M. J. L. The Law of the People: A Bicultural Approach to Legal Education for Navajo Students, vol. IV, "Law and Community Life". Ramah, New Mexico: Ramah Navajo High School Press, 1972, pp. 96.

Outlines basic legal information relating to the following government services: social security, workers' compensation, Indian Affairs, and others. Using case examples and questions, discusses administrative rules and regulations. Most of the information relates to the American agencies and is not adaptable to Canadian bureaucracies.

129. Vicenti, D.; Jimson, L. B.; Conn, S. and Kellogg, M. J. L. The Law of the People: A Bicultural Approach to Legal Education for Navajo Students, vol. III, "Law and the Family". Ramah, New Mexico: Ramah Navajo High School Press, 1972, pp. 123.

Material on law and the family. Compares Anglo-American law to traditional Navajo law ways. Areas covered are marriage, property, parent-child relationships, divorce, illegitimacy and inheritance. Simply written. Examples bring out the comparison between Anglo-American and Navajo laws. The positive aspects of Navajo customs are stressed.

130. Vicenti, D.; Jimson, L.B.; Conn, S. and Kellogg, M. J. L. The Law of the People: A Bicultural Approach to Legal Education for Navajo Students, vol. II, "The Development of a Navajo Legal System". Ramah, New Mexico: Ramah Navajo High School Press, 1972, pp. 172.

An evaluation of law on the reservation describing and contrasting Navajo custom and Anglo-American Law. Describes the roles of Navajo legal components such as the tribal police, the tribal courts and the lay judges. Discusses Navajo language, experience and their historical approach to laws. An excellent report.

131.* Windsor University Faculty of Law, Community Law Program. A Collection of Cases and Materials for High School Teachers of Law, vol. II. See: 61.

E. PROJECTS AND PROGRAMS

132. American Bar Association, Special Committee on Youth Education for Citizenship. Directory of Law-Related Educational Activities. Working Notes No. 6. 2nd Edition. Chicago: American Bar Association, 1974, pp. 81.

A directory outlining legal education projects from every state. Each project is described in terms of: subject taught, materials used, activities, age or target group, teaching staff, administrative organization, sponsors and contacts. Simple and practical format.

133. American Bar Association, Special Committee on Youth Education for Citizenship. Help! What to Do, Where to Go? Working Notes No. 4. Chicago: American Bar Association, 1973.

An information package on law-related education. Includes a detailed description of several legal education projects. Divided into the following four parts: "Law-Related Education" by J. F. Henning; The Youth Education for Citizenship Action Programs; Some Law-Related Topics of General Interest; and, Some Teacher Training Programs.

134. American Bar Association, Special Committee on Youth Education for Citizenship. Law-Related Education in America - Guidelines for the Future. St. Paul, Minnesota: West Publishing Co., 1975, pp. 240.

A national survey of projects in elementary schools, secondary schools, public agencies and private agencies. Includes recommended guidelines for project structure, administration, teaching, learning, curriculum, materials, development, methods of instruction, evaluation, funding and future projects. Recommendations are useful for any law-related education program.

135.* Barnes, L. and Crawshaw, P. Information Guidelines. Halifax: Nova Scotia Commission on Drug Dependency, 1976, pp. 195.

Discusses the process of developing an information program. Includes a check list of information required: objectives, design, implementation and evaluative techniques, analyzes the collection of information for program design and assessment. Outlines how to follow through the program from the point of initiation to actual implementation. In addition, the philosophy and standards of an information and education program are discussed.

136.* Canada Department of the Solicitor-General. Public Education Programs. Ottawa: Department of the Solicitor-General, 1977.

Outlines the following six public education programs. From Ontario: City of London Police Force - speaking engagements; Hamilton-Wentworth Regional Police - guides for speaking; Gloucester Police Force - lecture/seminar program; Metropolitan Toronto Police Force - crime prevention officers. In Alberta: Edmonton City Police - Edmonton Catholic Schools; Edmonton City Police - Alex Taylor Elementary School. Brief but informative.

137.* Canadian Association of Police Chiefs Crime Prevention Committee. Crime Prevention Programs. Ottawa: Canadian Association of Police Chiefs, 1975, pp. 97.

Outlines crime prevention programs. Discusses the role of police in crime prevention - the duty of police to educate the public and the police, to eliminate crime and to enforce the law. Stresses moral development through Kohlberg's model. Includes a school curriculum and an outline for a Resource Officer Program. Illustrates the informal nature of educational involvement.

138.* Federal-Provincial Task Force on Training for Alcohol and Drug Services. Outlines of Emerging Packages. Core Knowledge for Alcohol and Drug Services. Ottawa: National Health and Welfare, 1976.

Gives a skeletal view of what the following Core Knowledge packages could look like:

1. Definitions - Magnitude, Nature and Scope of the Problem;
2. Classification and Symptomatology;
3. Etiology of Substance Abuse;
4. Pharmacology;
7. Treatment;
8. Prevention;
11. Resources and Program Inventory;
12. Professional Ethics and Attitudes.

Terminology technical. Pamphlet design useful and readable. Provides an organized approach to the concepts required to be learned by personnel involved in Alcohol and Drug Services.

139.* Introduction to Native Legal Issues: A Report on the Mount Currie Legal Education Project. Vancouver: Legal Services Commission, Public Schools Legal Education Project, 1976, pp. 53.

An actual classroom course taught on the Mount Currie Indian Reserve. The course breaks down into historical structures of the Canadian Legal System, court-watching field trips, and Native Indians and the Law. Takes the Indian viewpoint.

139. Cont.

Includes an evaluation of the project. Useful material for developing a legal education project in the schools.

140.* Legal Services for Native People. Vancouver: B.C. Legal Services Commission Native Program's Division, 1976, pp. 180.

A directory of projects for the delivery of legal services in Canada and the United States. Outlines each project's activities, structure, funding source and contact person. Emphasizes legal education. Discusses the nature and needs of native people in both countries.

141. National Institute of Law Enforcement and Criminal Justice. "Public Information Programs." Reference Services. Washington, D.C.: U.S. Department of Justice, Law Enforcement Assistance Administration, 1977. pp. 15.

An outline of information contained in several documents on law-related education. Some of the documents are:

1. Introduction to Law Enforcement and Criminal Justice;
5. Courts and Law - An Introduction to Our Legal System;
9. Citizen Education and Action Programs in 1969;
24. Law and the Legal System - An Introduction;
26. Criminal Justice Public Information Manual;
47. Criminal Justice Audio-Visual Materials Directory.

Some details such as title, authors, publishers, and annotation are included.

142.* University of Toronto, Center of Criminology. Report of Proceedings: Law in the School Curriculum: A Symposium. 5 June 1975. Toronto: University of Toronto, 1975, pp. 71.

Discusses the purpose of law in the school curriculum, personnel to teach law in the schools, human resources for a school law program and material resources for a school law program. Relates experiences of law teachers. Practical problems and solutions are discussed.

143.* Windsor University Faculty of Law, Community Law Program. A Directory of Community Legal Education Programs in Canada. Ontario: Windsor University, 1975, pp. 16.

A directory of public legal education projects in each province. Outlines each project's activities, materials, staff, target groups and contacts. Information is dated.

INDEX

ABORIGINAL RIGHTS

law for court workers 34*

ABORTION

secondary school text 48*

ADMINISTRATION OF JUSTICE

(See also Tribal Law, Law - enforcement of)

Alaska 75
Inuit 35*
Northwest Territories 76*
police contact with native people 53*
programs for native people 79*
rural justice needs 18, 65
village councils 62, 72, 73, 15

ADOPTION

circuit court 19*

ALCOHOL

community involvement 112*
role playing 114*
trainers package 138*, 82*
training trainers 104*

AUDIO-VISUAL

catalogue 125*, 107
police 53*
teacher's manual 56

BUSH JUSTICE

(See also Village Justice, Village Councils)

adversary system (Alaska) 64
circuit court 19*
paralegals (Alaska) 71
rural vs. urban justice 65
village councils 62, 66, 72, 75
villages 63

BICULTURAL

(See Bilingual)

BILINGUAL

cultural barriers 91
Navajo 127, 128, 129, 130

CAPITAL PUNISHMENT

secondary school text 48*

CASE LAW - USE OF

Alaska (teachers book) 110
(students book) 109
basic law 75
bilingual bicultural education 91
controversial topics 48*
corrections 51
Eskimo law ways 15
government agencies 128
Indian law 54
justice 50
privacy 61*
tort 52

CATALOGUES

audio-visual materials 107
law games 106
legal services for native people 79*
native teaching materials 125*
police training 53*

CHANGE OF NAME

Inuit 35*

CHILD WELFARE

Inuit 35*

CLASSROOM MANNER

(see Teachers-Communication Skills of)

COMMUNITY GUIDED LEGAL EDUCATION PROGRAMS

Northern perspective 97*, 119

COMMUNITY LEGAL EDUCATION PROGRAMS

(See Public Legal Education Programs)

CONCILIATION

conciliation vs. adversary system 13
Emmonak Conciliation Board 69
village councils 66, 67, 68

CONSUMER LAW

for the lay person 55, 58*

CONTRACT LAW

for the lay person 58*
for Navajo 127

CORRECTIONS

for inmates 47*
for native peoples 79*
for the lay person 51
in the village 62
law 56
paralegals 71

COURTS

(See also Tribal Law)

general terms 75
Canadian 34*
magistrate vs. village council 65
traditional view of 22*

CRIME PREVENTION

police role 137*

CRIMINAL LAW

for inmates 47*
for the lay person 55
in villages 65
practical aspects 34*
traditional view 22*
vs. civil law 75

CURRICULUM

(See also Law for schools)

audio-visual 107
basic law 105
bibliography 4*, 90*
catalogue 125*
corrections 52
games 106
how to select 123*
land claims 124*
law course 109, 110, 118*
Model North 120*
Mount Currie 139*
north 88*
relevance of 84
purpose of 142*

CURRICULUM DEVELOPMENT

bibliography 90*
crime prevention 137*
law in the North 120*
native education 83*, 119
outline 138*
paralegals 71
puppetry 121*
schools (law in the) 45, 134,

CUSTOM

Canadian north 19*
Navajo 129, 130

DIRECTORY

education projects 132, 143*
service projects 46*, 40*

DRAMA

community involvement 112*

DRUG ABUSE

role playing 114*
secondary school text 48*
training program 82*, 104, 138*

EDUCATION MATERIALS

(See Curriculum)

EDUCATION METHODS

(See Methodology for teachers)

EDUCATION OF NATIVE PEOPLE

adaptation to schools 23*
barriers 96*
conflict with white man 20*
Indian attitudes 30*
pipeline 1*

EMMONAK

62, 68, 69

ENVIRONMENTAL RIGHTS
for the lay person 55

ESKIMO
behavior during training 94*
community guided education 97*
culture 3*
effective teaching 93
films for 113*
justice needs 15, 18, 72, 73
traditional ways 5*

EUTHANASIA
secondary school text 48*

FAMILY LAW
for the lay person 55, 57*
practical approach 34*

FILMS
for native people 113*, 117*, 125*

FISH AND WILDLIFE
(See also Hunting and Fishing)
laws for court workers 34*

FREEDOM - RIGHT TO
teacher guide 52

GAMES
catalogue 106
methodology 84

GOVERNMENT - STRUCTURE OF
for Inuit 35*
for Navajo 128

GUN CONTROL
secondary school text 48*

HALFWAY HOUSES
teacher's manual 56

HOUSING
for Inuit 35*
for the lay person 55

HUNTING AND FISHING
traditional ways 22*

INDIAN
bibliography 4*
colonization 20*
community guided education 97*
constable training 126
culture 3*
curriculum selection 123*
effective teaching 93
films 133*
oil spill 22*
pipeline 1*

INDIVIDUAL RIGHTS
for the lay person 55

INUIT
bibliography 4*
culture 3*
curriculum selection 123*

JAILS
(See Law - for Penitentiary Inmates, Prison Reform)

JUVENILES
(See also Law - Issues for Young Persons)
for Alaskan villagers 75

LABOUR LAW
for court workers 34*

LAND CLAIMS
British Columbia 124*

LANDLORD AND TENANT
for the lay person 59*

LAW - CURRENT ISSUES

audio-visual materials 107
education program 105
games 106
secondary school text 48*

LAW - DEVELOPMENT OF

for the lay person 60*

LAW - ENFORCEMENT OF

(See also Administration of Justice)

fair procedures 50
police role 137*
secondary school text 48*
village justice 64

LAW - FOR NATIVE PEOPLE

Alaskan village schools 110
court workers 34*
Inuit 35*
land claims 124*
Metis 22*
Mount Currie 139*
Navajo 127, 128, 129, 130

LAW - FOR PENITENTIARY INMATES

for inmates 47*
teacher's manual 56

LAW - FOR SCHOOLS

(See also Curriculum)

casebook 61*
controversial issues 48*
fundamental questions 42*
land claims 124*
Mount Currie 139*
Navajo 127, 128, 129, 130
privacy 52
puppetry 121*
relating to youth 46*, 49*
villages 110

LAW - FOR THE LAY PERSON

catalogue 41*
consumer law 58*
controversial issue 48*
corrections 51
family law 57*
for court workers 61*
for rural Alaska 75
for young people 46*, 49*
fundamental law questions 42*
general laws 55
Indian law 54
landlord and tenant 59*

LAW - HISTORY OF

(See Law - Origins of)

LAW - INTRODUCTION TO

audio-visual 107
for lay persons 55, 60*
for Northern villages 75
games 106
secondary school text 42*, 45

LAW - ISSUES FOR YOUNG PERSONS

46*, 49*

LAW - LEGAL RESEARCH

teacher's guide 56

LAW - NATIVE PEOPLE AND THE

(See also Tribal Law, Treaty Rights)

films 117*
Indian cases 54
Mount Currie 139*

LAW - ORIGINS OF

audio-visual materials 107
bibliography 105
Inuit 35*
Mount Currie 139*
secondary school text 45

LAW - PHILOSOPHY OF

bibliography 105

LAW REFORM

legal aid 80*
rural vs. urban justice 66
secondary school text 45

LAW- TRIBAL

(See Tribal Law)

LAWYER-CLIENT RELATIONSHIP

barriers 85

LEGAL AID

Northwest Territories 77*
Saskatchewan 78*

LEGAL EDUCATION PROGRAMS

(See also Public Legal Education Programs, Community Guided Legal Education Programs, Teacher Training, Police)

barriers 91
bibliography 105
catalogue (games) 106
director (projects) 132
information package 133
Mount Currie 139*
paralegals 71
philosophy 135*
survey 134
training trainers 104*

LEGAL SERVICES

court workers 34*
native people 80*, 140*
Northwest Territories 76*, 77*
villages 63

LEGAL TERMINOLOGY

(See Words and Phrases)

LICENCES

for Inuit 35*

LIQUOR LAW

for court workers 34*
for Inuit 35*
for Metis 22*

LINGUISTICS

(See also Teacher - communication skills of)

Eskimo 5*
Navajo 130

MARRIAGE

circuit court 19*
Indian 22*
Navajo 129

METHODOLOGY FOR TEACHERS

(See also the specific methods liste

bibliography 90*
classroom exercises 56
community involvement 112*
curriculum selection 123*
effective teachers 93
guidelines for 134
films 113*, 117*
native control 83*
Navajo 127
police training 53*
program development 135*
puppetry 121*
role playing 114*
secondary school 52
teaching law 105
teaching process 84
training trainers 82*, 88*, 104*, 133
village schools 109, 110

METIS

adult education 113*
catalogue 4*, 125*
curriculum 123*
vs. Indian and white 3*

MISSIONARIES

education model 120*

MOOT COURT

casebook 61*

NATIVE CLIENTS

(See Lawyer Client Relationship)

NATIVE COURTWORKER PROGRAM

(See Native Organizations)

NATIVE ORGANIZATIONS
legal services 77*, 79*

NATIVE PERSPECTIVE
circuit court 19*
colonization 20*
control of education 83*
curriculum development 119
education system 95*
land claims 121*
Mount Currie 139*
village councils 67

NAVAJO
basic law 127
custom 130
family law 129
government agencies 128

OIL SPILL
Indian family life 22*

ORGANIZED CRIME
secondary school text 48*

PARALEGALS
village 63, 71

PAROLE
(See Corrections)

PENITENTIARIES
(See Prison Reform, Law - for Penitentiary Inmates)

PIPELINE
native culture 1*

POLICE - EDUCATION PROGRAMS FOR
(See also Tribal Law)
native constable 126
native contact 53*
public education 136*

PREPAID LEGAL INSURANCE
village 63

PRISON REFORM
secondary school text 48*

PRISONER'S RIGHTS
(See Law - for Penitentiary Inmates)

PRIVACY LAW
for the lay person 52

PROBATION
(See Corrections)

PROPERTY LAW
for Inuit 35*
for lay persons 52

PUBLIC DEFENDER
for the poor 78*

PUBLIC LEGAL EDUCATION PROGRAMS
(See also Legal Education Programs, Community Guided Legal Education Programs)
bar association 108
community 112*
directory 143*
films 113*
Navajo 127, 128, 129, 130
police 136*
reference 141

PUPPETRY
121*

PUZZLES
115*

RENT REVIEW
for the lay person 59*

ROLE PLAYING
alcohol/drug 114*
corrections 56
methods 101
Navajo 127
schools 115*

RURAL JUSTICE

(See Bush Justice, Village Justice)

SENTENCING

(See also Corrections)

law course 56
village 65, 66

SLIDES

for native people 125*

SOCIAL INSURANCE

for Inuit 35*

TEACHER TRAINING

alcohol/drug 104*
general 88*
legal education 102
program 101, 133

TEACHERS - COMMUNICATION SKILLS OF

Eskimo 93
Indian 93, 96*
legal materials 86
limits of language 85
perceptual differences 84

TEACHERS GUIDE

(See Methodology for Teachers)

TENANTS' RIGHTS

for the lay person 59*

THEFT

Indian law ways 22*

TORT

for inmates 47*
for Navajo 127
secondary school text 61*

TRADITIONAL LAW WAYS

colonization 20*
conciliation 13, 66
Eskimo 5*, 15
Metis 22*
native people 1*
Navajo 129, 130
Tauremint 72, 73

TREATY RIGHTS

(See also Law - Native People and the)

for court workers 34*

TRIBAL LAW

Navajo 129, 130

VILLAGE COUNCILS

(See also Village Justice, Bush Justice)

Emmonak 68
Eskimo 72
magistrate system 66
paralegals 71
Tauremint 73
urban ghetto 67

VILLAGE JUSTICE

(See also Village Councils, Bush Justice)

adversary system 64, 65
alternatives 63
conciliation 67
Emmonak 69
Eskimo 15
Napakiak 62
paralegals 71
rural justice 18

VILLAGE SCHOOLS

curriculum materials 109, 110

WITCHCRAFT

circuit court 19*

WOMEN'S RIGHTS

secondary school text 48*

WORDS AND PHASES

for the lay person 55, 60*
for northern villages 75

YUIT

rural justice 18